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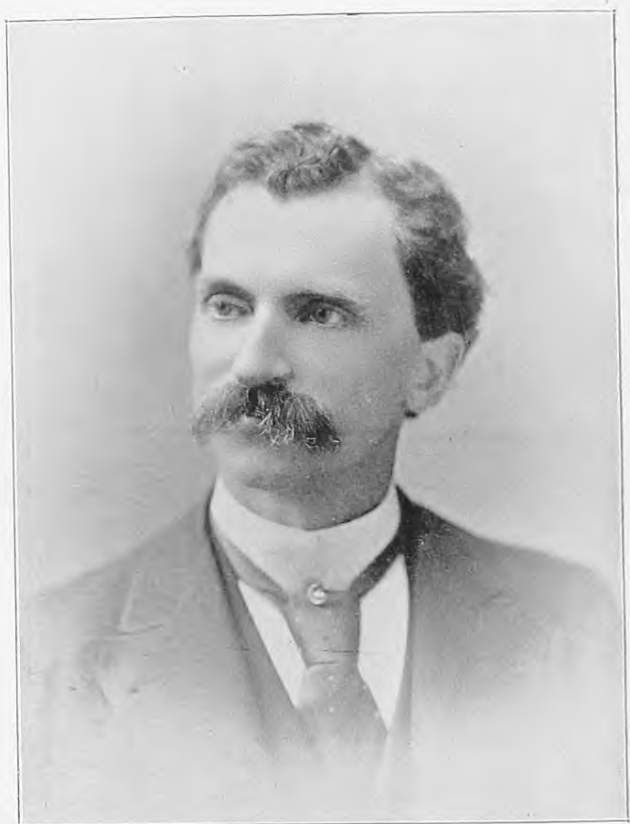
Oak Gables



Gertrude  
With love  
From  
The Writer.

note by Anne Hubbard Lee  
writer's indignant daughter of anxious child  
I found the account of her first long  
book and young manhood - court case  
account of legal career & court cases  
et al seemed a bore. To me a female  
personal relationships and 'ED  
philosophy of a person is more  
interesting by far than the  
endless details. But then  
I know a man feels diff-  
erently. I wish he were  
still living. Then I would  
please write me the  
love story of the  
your life."





HON. GEORGE M. BUCK.

# THE STORY OF MY LIFE,

PREFACE.

The usual course, when one writes a story of any kind, is to write the story and then write the preface. I have done the reverse. It is here in this preface for the reason that I do not expect to live to finish the work. It seems to me now, therefore, to state at this time what I hope the book may prove to be instead of endeavoring to tell what it will be.

The pages which follow are not intended for the eyes of any one except my children. It is earnestly requested that no part of what is here written will be published for any reason or under any circumstances, until many years after my death, if ever. Believing that this injunction will be heeded I shall write with more greater freedom than I should otherwise care to use.

I do not undertake this work in the hope that the recital of what I have done or failed to do and of what has been my character of good or ill, will be of any interest to those for whom it is written. But the memories which I purpose to give of the time in which I was born and of the circumstances and which I grew to know, and of the people I have gathered about of my life.

By  
GEORGE M. BUCK.

## VOLUME I.

By far the greater part of my narrative will relate to the first twenty-one years of my life, and this for the very good reason that the most of what could properly be called my life was lived within that period. In looking back along the road over which I have come, the first twenty-one milestones loom up as being some of the way that all the rest that appears to my mental vision, that the picture which is fairly in perspective were I to attempt to grasp it, showing than as it appears to me. And as "the world is father of the man," so the man could have said when I have been at a distance how what I was as a child.



THE STORY OF MY LIFE.

I

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Foreword.  
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The usual course, when one writes a story of any kind, is to complete the work and then write the preface. I deviate from the rule in this instance for the reason that I do not expect to live to finish the work. It seems to me best, therefore, to state at this time what I hope the book may prove to be, instead of endeavoring to tell what it will be.

The pages which follow are not intended for the eyes of any one except my children; and it is earnestly requested that no part of what is here written will be published for any reason or under any circumstances, until many years after my death, if ever. Believing that this injunction will be heeded I shall write with much greater freedom than I should otherwise dare to use.

I do not undertake this work in the hope that the recital of what I have done or failed to do, and of what has happened to me, whether of good or ill, will be of any considerable interest to those for whom it is written. But the descriptions which I purpose to give of the time in which I was born and of the surroundings amid which I grew to manhood, may not, I hope, be altogether devoid of interest.

By far the greater part of my narrative will relate to the first twenty-one years of my life. And this for the very good reason that the most of what could properly be called my life was lived within that period. In looking back along the road over which I have come, the first twenty-one milestones include so much more of the way than all the rest that appears to my mental vision, that the picture would be faulty in perspective were I to attempt to draw it otherwise than as it appears to me. And as "the child is father of the man," so one who would know what ~~what~~ I have been as a man, must know what I was as a child.

It is not my design to make this book a mere record of what I have done and seen and heard during a somewhat eventful life. I am to write for those who are now nearest and dearest to me, and I shall try to tell them of myself as I have estimated myself; and I shall not attempt the impossible task of trying to depict myself as others have seen me. Because of this intention the story may not be in all respects a veracious one, but it will be as true as I can make it from my limited point of view.

In relating what I shall attempt to tell I shall use the personal pronoun without reserve. Were I to do otherwise, the narrative would be loaded and obscured with needless words and useless circumlocution. And I shall not refrain from giving the views I entertained in respect to the causes or causes of my success or want of success in some of the things undertaken or work done by me at various times in my life, although the expression of these views by me may seem, even to those who read this work, to be too egotistical. This is to be as accurate a story of my life as I can make it, and what I have thought in regard to my achievements and failures is as much a part of the record of my life as what I have done or failed to do. For this reason I trust that the determination I have expressed will be readily pardoned of not wholly approved.

October 17, 1907.



## EXPLANATION.

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When this story was begun in October, 1907, it was believed that, if I should live to finish it, the work could be completed within two or three years at most and that the record would not require more than one volume of from three hundred to four hundred pages. But in various ways the writing has been hindered and delayed, and for reasons which would require too much time and space to explain, I have concluded to change the original plan and complete one volume now and continue the work as I may be able, although the remaining volume, if completed, will doubtless contain fewer pages by far than the first.

March, 1915.

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 called.--Political addresses.--Newspaper con-  
 mendation.--Doubts as to the result.--Unfavor-  
 able outlook.--Some unknown favorable conditions  
 Complimentary result of the election.--Personal  
 results of work during the year.--Sunday  
 School and temperance work.--Contributions to  
 press.--Removal of office to Court House.--  
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# Known generations of Bucks

Emanuel (or Enock) Buck

Ezekiel Buck

Enoch Buck

Ebenezer Buck

Philander Buck

Miner Buck

1809 -  
\* George Machan Buck

Nov 28, 1840 -

Wendell Buck Hubbard

Aug. 29, 1877 - 1881  
Anne Hubbard L E E

1903 -  
Fanny L E E Phillips  
(1929 -

his death  
 after Mar. 1915  
 - but when?

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Chapter I.  
Birth and Ancestry.  
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I do not know the date of my birth. There was no record made of it when it occurred and my parents were never able to decide, with anything like certainty, when I was born. When I was about seven or eight years of age the 28th day of November, 1840, was fixed upon as my birthday, although another day had for several years been recognized as the supposed date. It is certain that I was not born before November 27, 1840, and the time may have been considerably later. But as the nearest guess my father and mother could make as to the correct date placed that event on the 28th day of November, A.D. 1840, that date will serve as well as any other.

I was born on a farm in the township of Skaneateles, Onondaga County, in the State of New York. How I happened to be born at that place, involves the history of my ancestors. Their history, as regards the ancestors of my father, is given in a work entitled "Genealogy of the Family of Philander Buck," of which a copy is in the possession of each one of those for whom this book is intended. I shall have little to add to the facts stated in the "Genealogy" mentioned. I know practically nothing of the life history of my great-grandfather, Ebenezer Buck. From what my father told me concerning him, I inferred that Ebenezer was rather incompetent and something of a spendthrift. But I am not certain that my father was correctly informed in regard to the character and habits of his grandfather, especially as my father always believed that Ebenezer was the only son of Enoch Buck, which proves to have been a mistake.

My grandfather, Philander Buck, and my grandmother, Esther Bennett Buck, made my father and his family a brief visit in the year 1852 or 1853--I believe in the latter year. I remember my grandfather well. He was a man a little above medium height, with a strong face and a well-proportioned frame. He was neither very



fleshy nor noticeably thin. His hair was quite white, but his figure was not bent with toil as were the forms of most men whom I have seen who were of my grandfather's age and who lived in his time.

His language showed him to be a man of rugged character, but lacking in delicacy and refinement according to more modern ideas. But the standards of his day were not those of the present time. I have myself many times heard women who were accounted ladies and who belonged in a social circle as good as their era afforded, use, in the company of men, women and young people, language so coarse, low and obscene, that any woman who, in these days should do the like, would be banished from all decent society at once and forever.

I can remember much of my grandfather's conversation, but can recall little of it that related to his earlier life. I well remember an occasion when he showed to my brother and to me one of his thumbs which he could bend backward so that it would almost touch the back of his hand. This condition, he said, was caused by using his thumb in crushing the clay on his potter's wheel. He said that he learned the trade of a potter when young, and explained how he shaped the vessels he manufactured, and told of the number of articles of various kinds that he could turn out in a day. I have also heard my grandmother say many times that my grandfather was a potter, working at his trade, when he and she were married.

I also remember my grandfather telling me of feats in husbandry which he had performed in his younger days. One was the amount of wheat he could reap with a sickle in a day; another was of the number of acres of grass mowed by him on a certain day. In regard to the latter achievement, he stated that he was smoothing the edge of his scythe with a whet-stone when he caught sight of the first rays of the morning sun; that he stopped work at noon to eat a luncheon he had brought to the field, and that he ceased work for

the day when the sun was about half an hour high. It may seem strange that I have forgotten the most important point in the narrative, namely, the area mowed by him; but I cannot recall the number of acres with any distinctness of recollection. But I do remember well that my grandfather claimed that he had never heard of another instance in which an equal or greater number of acres had been mowed by one man in the same space of time.

Of the ancestry of my grandmother, Esther Bennett Buck, I know absolutely nothing. Of course I saw her when she, with my grandfather, visited our home in Michigan in 1852 or 1853, and from the latter part of the year 1857 until her death she was a member of my father's household, so that from 1857 until the spring of the year 1859 she and I lived under the same roof. But I never heard her mention her father's or mother's name, nor did I hear her on more than one or two occasions say anything in regard to her life before she married my grandfather. I have heard my father say that one of the ancestors of my grandmother Buck was a Scotch woman and she seems to have brought into our family the only admixture of any except pure English blood, since the Bucks settled in England. — ~~from Belgium or France~~

As I remember my grandmother Buck, she was a rather quiet woman, of fairly good temper and a pattern of industry. But she was almost wholly uneducated and, like my grandfather, not at all refined in her conversation. Indeed some of the stories I have heard her tell were much more objectionable than any I ever heard him relate.

The story of my father's life is so bound up with the story of my own life, that I shall try to give the outlines of much of his life in relating the history of my own.

My father was born May 21, 1809, in the township of Camillus, Onondaga County, in the State of New York. He was born in the same year in which Abraham Lincoln, William E. Gladstone and Louis Napoleon were born.

My grandmother once told me how my father received his first name. All the older children had been named by my grandmother, my grandfather refusing to make even a suggestion as to their names. But soon after my father was born my grandmother notified my grandfather that he must name that child, as she had named all the others. My grandfather, in his usual, good-natured way, put the matter aside and for several weeks made no response to my grandmother's oft-repeated request that he should "name that child." My grandfather seems to have at length arrived at the conclusion that my grandmother's Scotch stubbornness was more than a match for his obduracy, and on the subject being again brought up by her, he thought for a moment and then said, "Call him Minerson." My grandmother asked him if he really wanted the boy called by that name, and to which my grandfather replied in the affirmative, and the name was thus decided upon.

When my father was born his father seems to have been unusually poor even in those days when poverty was the almost universal rule in this country. In their childhood my father and his brothers and sisters seldom knew what it was to have sufficient food to satisfy their hunger, or enough clothing to make them comfortable in winter. According to my father's account, the family provisions had to be carefully husbanded and much forethought and care taken to prevent great suffering for want of food. The supply of provisions was so small that each member of the family was limited as to the amount of food he could be given at each meal. The grown people, who had the harder work to do, were allowed more than the children, the latter being given little more than what was barely sufficient to sustain life. Of breadstuffs the principal item was corn meal, with a little wheat flour occasionally. Sometimes a little rye flour was used, but oats and barley were seldom or never used as food for human beings. Potatoes, onions and beans were almost the only vegetables used and of these the supply was

very scanty. As to other foods, my grandmother always hoped that the supply of salt pork--almost the only kind of meat used--could be made to last through the winter and until the sap from the maple trees began to run in the spring when maple sugar and syrup would take the place of meat; and that the cows would begin to give milk before the sap ceased running. The milk from the cows would then take the place of meat and sweets until early greens and afterwards garden vegetables could be used. By such means the ever-recurring problem of food for the family was solved in part.

As regards clothing, I have heard my father say that it was the usual thing for him, when a boy, to work hard all winter, chopping and hauling wood and logs, with no covering for his legs except one pair of trousers, made of what was called "Kentucky jeans"--about the thickness of denims in this day--while the upper part of his body was protected by a cotton shirt and an old coat.

This condition of poverty was not the result of indolence or vice. My grandfather was an energetic man and was very industrious. I once heard my grandmother say that about the time when she and my grandfather were married, he said to her that if hard work would make a man rich he would be rich. "He worked hard all his life," she added, "but he never was rich."

Of course my father had no opportunities for obtaining an education. He attended school in the country for a little time in the winter for a few winters and learned to read and write and also learned something of the "four ground rules of arithmetic," addition, subtraction, multiplication and division, and, I think, a little of vulgar fractions. But I do not think that he learned anything of decimal fractions, and the "Rule of Three" was, in his school days, an unknown region in mathematics to him. Grammar he never studied and I doubt whether he ever studied geography. Naturally he picked up something in an educational way in his later life,



but his acquisitions in school were but little, if any, greater than were those of Abraham Lincoln, who was my father's senior by only a few months.

When my father was a boy his sole and great ambition was to obtain an education. In the hope of getting means to accomplish this, he spent the greater part of the little money he could obtain in boyhood and early manhood in buying lottery tickets. But he never drew a prize.

My father continued to live in Onondaga County until after his marriage to my mother in 1835. During the greater part of the time he worked for and with his father on a farm, but he was also occupied during a portion of the time in working on a canal boat. As well as I can conjecture from what I have heard my father say in that connection, this work was principally beating wood to the salt works at Salina, but he sometimes made trips as far as Albany. His life, during the years of his boyhood and early manhood, seems to have been a quiet and uneventful one.

In politics my father was a Democrat, but an independent one. I think that he voted for Jackson in 1832 and for Van Buren in 1836. In 1840 I think he did not vote because he had not been a resident of the State of New York for a sufficient length of time to entitle him to vote. In 1844 he voted for James G. Birney, the Free Soil candidate for President. From that time he voted with the Democrats until 1876, when he became a Republican and during the rest of his life he generally voted for the candidates of that party.

In his youth my father was converted under the ministry of the Rev. Ira Dudley and united with the Baptist church. After his marriage to my mother he joined the Methodists. He remained a Methodist during nearly all the remainder of his life, the exception being the short time that he was connected with the Baptist Church at Pokagon, Michigan.

*Back names*

In his disposition my father was generally mild and pleasant, and this would have been invariably true but for an occasional display of irritability on his part, due to his decidedly nervous temperament. In the later years of his life he was so tender and kind in all his ways as to appear to be almost saint-like in his character. He died of paralysis, induced by old age, in December, 1895.

Of my mother's ancestors I know almost nothing. I cannot even remember the name of my mother's grandfather. Her father was Samuel Peirce of Skaneateles, Onondaga County, New York. He was, as I have always understood, Major of a regiment of New York volunteers in the War of 1812. For many years before his death he was always known and spoken of as "Major Peirce" and the title of "Major" is inscribed on his monument in Lake View cemetery, Skaneateles, N.Y.

There can be no doubt that the family name was originally Percy. I have heard my mother say that she had seen letters addressed to her father in his younger days in which he was addressed by the name "Percy." There was a tradition in the family that my grandfather Peirce was a descendant of the Earl of Northumberland. On this account my grandfather gave to his eldest son the name "Earl." The name Percy was easily corrupted to "Perce" or "Peirce", which was pronounced as if spelled P-u-r-s-e. After a time the letters e and i in the name were transposed, at least by some members of the family. I think that my grandfather spelled the name "Peirce" or "Pierce" indifferently. At any rate, I have in my possession a contract between Major Peirce and my father, to which the former signed his name, spelling it "Peirce." I think that in signing his will he wrote the name "Pierce", but an examination of the original document leaves this somewhat in doubt.

One Gad Peirce was a prominent member of the family. He was my grandfather's brother or cousin, I am not sure which, but think the latter. Gad Peirce was a soldier in the War of

England, I think

7(a)

The Gad Peirce who is mentioned on pages 7 and 8 of this volume, was the son of Gad, who was the son of William, mentioned on page 37 of the "Genealogy of the Family of Major Samuel Peirce." William was the son of Joseph (1669-1753) who was the great-grandfather of Samuel, the line of descent to Samuel being: John of Watertown (1), Anthony (2), Joseph (3), Joseph (4), David (5), Ephraim (6) and Samuel (7); and the line of descent to Gad being: John of Watertown (1), Anthony (2), Joseph (3), Joseph (4), William (5), Gad (6), and Gad (7). The Gad Peirce mentioned in this volume was therefore what is known in France as un cousin éloigné, that is, a distant cousin, of Samuel.

1812 and I have many times heard my mother relate stories of the war told her in her girlhood by "Uncle Gad" as she generally referred to him. One of these stories was of his being surprised, while in a house, by the entry of an officer of the British army with a detachment of men. The British officer drew his sword and said to Gad Peirce, "Surrender, sir." "Instead of complying, Gad fled through the back door of the house and made for a piece of woods but a few rods away, while bullets from the muskets of the British soldiers whistled about his head. He made good his escape, however. I have also heard my father tell of Gad Peirce's energy, perseverance and resourcefulness in accomplishing difficult undertakings in civil life, one of these being his success in getting a boat of some sort off the rocks in the rapids in some river--the Niagara, I think--after several other men had failed in the attempt.

I never saw my grandfather Peirce after I was old enough to remember the fact. I have heard him described so often and knew his counterpart so well in my brother Samuel (who was said to bear a striking resemblance to his grandfather Peirce in every way) that I have a very clear idea how Major Peirce looked. He was about six feet in height, finely proportioned, with very dark auburn hair--almost brown--hair, a high forehead, light blue eyes, a somewhat prominent nose, mouth rather large than small, a bold chin and a neck of a little more than medium length and thickness. In brief, he was physically as well as mentally a true type of his sturdy Saxon ancestors--the Percys. In temper and disposition he had the prominent family traits. He was, to all the world, including the members of his own household, arrogant, dictatorial and often unreasonable. Notwithstanding these grave faults he was generally well liked by his neighbors for his many good qualities. He was kind, obliging, and generous to a fault. He was also highly respected by all who knew him for his sterling, unbending integrity, his love of



truth, his uncompromising hatred of evil in every form, and his keen sense of justice, right and equity.

In politics Major Peirce (unlike most of the Peirces, who have been Democrats from time immemorial) was a rank, partisan Whig, a warm admirer of Clay, Webster and Harrison and a vigorous hater of Andrew Jackson and all his works. I do not know that he ever held even a local, political office. He had a decided liking for everything connected with the military, and held important commands in the State militia. I have sometimes suspected that his title was acquired by reason of his having held the office of Major in the New York State militia, instead of having had that rank in a regiment raised for service in the War of 1812. But from all the accounts I have heard, the most reasonable conclusion would seem to me to be that Major Peirce was Major of a regiment of New York militia which, during the War of 1812, was ordered to Sackett's Harbor, N.Y., to repel a threatened attack by the British. I have it from my mother that her father went to Sackett's Harbor with a body of troops to fight the British, but arrived too late, or for some other reason did not participate in any engagement.

In religion Major Peirce was a staunch Methodist. He was very devoted to the church and careful in the observance of all his religious duties. His house was always open to a Methodist preacher (or to any one else for that matter) and as he was considerably better off in a financial way than most of his neighbors, his house was the accustomed stopping place of the Methodist bishops and other eminent men in that denomination. Among others, Lorenzo Dow was frequently by the fireside or at the table in the home of Major Peirce and his family. My mother knew Dow well and heard him preach many times. She always denounced as fabrications most of the stories told of Dow's eccentric behavior. Like Sam Jones of a later period, Dow was rough in speech and given to saying crude

and witty things, but was withal a preacher of great ability. Rev. Dr. Buckley says of Dow:

"Dow was eccentric to the verge of insanity, but one of the ablest of all the early Methodist preachers, a fact that should be stated whenever his name appears, as floating traditions involving his eccentricities are but a partial and unworthy representation of the man; they were usually subordinate to the practical plans which he originated and to which in general he adhered."

I can recall only one queer speech by Dow that my mother heard him utter, and that was, as she quoted it, literally this: In the midst of a sermon that had otherwise nothing in it relating to intemperance, Dow suddenly paused and pointing his finger toward a remote corner of the meeting house--as it was called in those days--said: "There's a girl over in that corner who's going to marry a man who crooks his elbow." [Meaning a man who drinks.] "If she marries a man that crooks his elbow she'll get a horsewhipping."

My mother united with the Methodist church at Skaneateles at a time when its pastor was the Rev. John Dempster, then in the beginning of his ministerial work. He also was a frequent guest in Major Peirce's home. My mother knew him well and always greatly admired him. Dempster was converted at a camp-meeting when he was only a tin peddler. The meeting was voted a failure because no one was converted except a young and obscure tin peddler. Dempster afterwards became one of the ablest and most learned of the Methodist preachers of his day. I have read some of his sermons and they justify the statement of an eminent Methodist divine concerning their author: "He laid the foundations of his sermons among the stars and then built upward." When Dempster died he was President of Garrett Biblical Institute, then as now one of the leading Methodist institutions of learning in this country.

One of Major Peirce's neighbors related in my

hearing a story which illustrates, in an odd way the Major's peculiar reverence for the Bible. It was his invariable habit to have family worship every morning immediately after breakfast. If the Major had occasion to use the word "commandment" in his ordinary speech, or if he found it in his reading anywhere except in the Bible, he always pronounced the word correctly. But whenever he read the word aloud from the Bible he was sure to pronounce it "commanderment." He seemed to have an idea that the word was longer and stronger in the Bible than it was elsewhere.

Samuel Peirce was born in the year 1770 or 1771. I do not know the day of his birth. He died May 29, 1850, at the age of seventy-nine years. The name of his first wife--my grandmother--was Hannah Greeley. I know nothing in regard to her ancestors nor do I know the date of her birth or of her death, but the latter event probably occurred about the year 1825, as I have heard my mother say that she was about eighteen years of age when her mother died. Some years after the death of Hannah Greeley my grandfather Peirce married Sylvia Machan, a widow. She survived Major Peirce a number of years, dying about 1868.

The children born to Samuel Peirce and his wife Hannah were, so far as I know or can recall their names: 1. Earl. 2. Ira. 3. Samuel. 4. Ephraim. 5. Harry (named for Harry Hotspur). 6. Lyman. 7. Hannah Maria. There may have been others whose names I cannot now recollect. I am not certain, either, that the names given are in their proper order. I am certain that Earl was the oldest, Ira the second and that my mother was the only daughter and the youngest of the children.

Earl Peirce removed to the State of Texas at some time before the Civil War and died there. He left a son, Heratio, who was a physician living in or near Wheelock, Robertson County, Texas. Earl Peirce had other children, I think.

Ira Peirce removed to Quincy, Illinois, where he worked at his trade--that of a shoemaker.

for several years. He had a daughter, Amanda, and a son, Rowland Earl, but beyond these I know nothing of the family.

Samuel Peirce, Jr., is mentioned in his father's will, but aside from this I have no knowledge of him or of his family--if he had any.

Ephraim Peirce was drowned in the Salt River (in what State I do not know but suppose it to have been in the State of New York) while a young man and unmarried.

Harry Peirce was born June 1, 1800, and died January 8, 1864. He married Nancy Mason who was born January 22, 1804, and died November 12, 1853.

Lyman Peirce was born August 13, 1804, and died April 21, 1883. I do not know the name of his wife farther than that her first name was Bethana. She was born November 13, 1803, and died October 30, 1883.

Harry Peirce and Lyman Peirce removed to the State of Michigan at some time before the year 1846. They finally settled near Greenville, Michigan. All the facts which I may be able to learn concerning them and their children will be found elsewhere and will not be included in this book.

Hannah Maria Peirce was my mother. She was the youngest of her father's children and was born October 29, 1807. Her education was but little better than my father's though better than that allowed to most girls of her station at that period. In her youth she was accounted a beauty and had many admirers. She was intellectually bright and exceedingly fond of reading, though the subjects she usually selected were stories. Like my father, she was a good singer and in her youth she was a member of a village choir. She and my father used to take a great deal of comfort in singing hymns together at home, but I never heard them sing anything but hymns. My mother, however, used to sing while at her work such songs as "Barbara Allen," "Captain Kidd," "James Bird," and later, "The Old Folks at Home," and songs of that character. She was an industrious, hard-working,

religious ideas and practices. My father and



economical and self-denying woman to the end of her life. She suffered from an organic disease of the heart for many years before her death. From the time that an incurable ailment fastened itself on my brother Dempster, in the year 1852, my mother devoted herself almost wholly to caring for him until her death; and through the labor which this care imposed on her she wholly ruined her already enfeebled health and died a martyr to her own love for and devotion to her unfortunate child. Her final illness was diagnosed as peritonitis, but I have no doubt that it was what is now called appendicitis. The date of her death was June 23, 1857.

My father and mother were married at some time in the month of January or February, 1835. Neither of them was able to remember the date of their marriage after I became old enough to remember their conversation concerning it. My father thought it was on the 14th of February, 1835, but as that day fell on Saturday, my mother was positive that that was not the correct date. She thought it was some time in February but earlier than the fourteenth. They were married at the residence of my grandfather Peirce, the ceremony being performed by the Rev. Jesse T. Peck, afterwards a Bishop of the Methodist Episcopal Church.

Not long after their marriage my father and mother removed (with my grandfather Buck and his family) to the township of Edinburg, Portage County, Ohio. Portage County is a part of what was and still is known as "The Western Reserve" that is, territory reserved by the State of Connecticut when, in pursuance of a request by the Congress under the Confederation, the State of Connecticut conveyed to the General Government the claims of that State to territory lying west of the Alleghany Mountains. Naturally the Western Reserve was settled principally by emigrants from Connecticut. They were, for the most part, typical New Englanders--honest, industrious and frugal in their secular pursuits, and puritanical to the last degree in all their religious ideas and practices. My father used

My father used to relate that soon after his removal from the State of New York to Ohio, he had occasion one Sunday morning to go to a field and look after some sheep, taking with him a small dish of salt. One of the neighbors chanced to see him do this and on the following day he was visited by two Presbyterian deacons and informed that while salting sheep on Sunday might be allowed in York State, it could not be tolerated in that community.

My father purchased a small farm next adjoining a farm owned by his father, about two miles from Edinburg Center. Of whom he bought this land, and whether he obtained it when he first went to Ohio or at some later time, I do not know. All that I do know with any reasonable certainty is that he and my mother continued to live in Ohio until in or about the spring of the year 1840. During this period his main business was farming, although for a time, or at certain times in the year, he worked in a saw-mill.

My sister, Harriet Maria, was born October 30, 1835. Why those names were given her I do not know, but I think that I have heard that her aunts, Elvira and Eliza Ann, were largely responsible for the names that were selected.

My sister Harriet began to attend school, with more or less regularity, when she was less than three years old. She was an apt scholar and obtained a much better education than most persons with no better opportunities than were hers. As a matter of course she had to work hard in doing housework and in caring for her younger brothers and sister from the time when she became old enough to be entrusted with work of any kind. She began teaching at an early age--when she was about sixteen, I think--and followed that vocation until her marriage, which was about the year 1865 or 1866. She taught country district schools in Charleston, Comstock, Climax and in other townships of Kalamazoo County, Michigan. She attended Albion College two years--first in 1855-6 and again in 1858-9.

She died in the latter part of the year 1881.

My brother Samuel Peirce was born December 20, 1837. I do not know at what age he began to attend school. He did not learn readily and never had as much as a common school education. He grew up on our father's farm and worked for his father until in the autumn of the year 1859/when he was married and took a lease of the farm from his father. In the spring of the year 1861 he removed to Ionia County, Michigan. In August, 1862, he enlisted in the Twenty-first Michigan Infantry and was discharged for disability after serving a few months. He then removed to a farm near Colema, in Berrien County, Michigan. About the year 1865 he went into business in Alma, Gratiot County, Michigan, but made a total failure in business and about the year 1866 he drifted out west somewhere and simply disappeared. His friends had no trustworthy information as to his death, but it is supposed to have occurred about the year 1867.

In the spring of the year 1840 my father and mother, with their two children, returned to the State of New York. This was at the solicitation of my grandfather Peirce, who entered into a written agreement with my father, by the terms of which agreement my father was to work my grandfather's farm on certain conditions and with certain considerations moving each of the parties. This agreement I have in my possession and it is my intention to have it copied and incorporate the copy in this work as an appendix. The original was drafted by my grandfather Peirce and is in his handwriting. According to my father's account the writing of this instrument was, for the Major, a most laborious task, owing to his anxiety to include in it some provision for every possible contingency. He was engaged in the work for many days, often stopping in the midst of his work in the fields to go to the house and insert a new clause in the agreement.

The contract between Major Peirce and my father also gave rise to a circumstance which illustrates the Major's disposition and temper-

ament. During my father's tenancy of Major Peirce's farm a question arose between the parties in regard to their respective rights in the barn on the premises. The Major insisted that the agreement contained a certain clause which my father claimed was not in the instrument. Finally Major Peirce went to the house and brought the paper to the field and read it. My father then said, "You see, Major, that I was right. The paper doesn't say 'barn' where you said it did." To this the Major, shaking his fist in my father's face, retorted, "If this paper doesn't say 'barn' then I'm a liar and you are a d---d smart boy."

Early in the year 1869, I visited the farm formerly owned by Major Peirce in Skaneateles township and saw the house in which the Major and his wife and my father's family lived at the time of my birth. The farm has always been a most desirable one, being--as a farmer residing in that vicinity said to me in the summer of the year 1906--"the cream of the cream of Onondaga County." And in 1840 and for several years previous to that time, the house was one of the finest in that region. But in these days it would be considered small and plain almost to meanness. The frame was of heavy timber and the dimensions of the main structure could not have been more than eighteen by twenty-four feet. The house was one story and a half in height and there was a small "L" or "lean-to" at one end of the main part of the house. But it was a "framed house" and that gave it great superiority over the log cabins which were in the prevailing style of the residences in Onondaga County in 1840.

My name was given me by Major Peirce's second wife. Her maiden name I do not recall, if indeed I ever heard it, but when she was married to my grandfather she was the widow of a man named Machan, her name then being Sylvia Machan. At some time before my birth she had lost a son named George. A few weeks after I was born Mrs. Peirce came into that part of the house



which my father and mother occupied, and (according to my mother's account of the incident) asked my mother if she had yet named the baby, to which my mother answered in the negative. Mrs. Peirce then asked, "Would you be willing to name him George Machan?" and burst into tears. My mother told her that she--my mother--would be glad to give me that name, and thus the matter was decided. In acknowledgment of the privilege of giving me my name, Mrs. Peirce, with her own hands, carded and spun some flax which she sold and gave the money she received therefor (one dollar) to my father, with directions to buy a sheep for me, the number to be doubled every four years and the entire product turned over to me upon my attaining my majority. This arrangement was carried out by my father and in the year 1862 he accounted to me for the value of thirty-two sheep at the then market price. So far as I know there were no unusual signs in the heavens above or on the earth beneath, when I was born. The 28th day of November, 1840, has ever since then been noted in London, England, as the time of "the great fog," but if that was the day of my birth that meteorological circumstance could have had no possible relation to the event in which I was most interested. In a quiet farm-house, in the midst of a rich and beautiful agricultural region, and near to one of the most lovely lakes lying under the stars, with <sup>out</sup> any occult or extraneous influence to help or hinder me in my then future career, I came into the world, to make my way through it as best I might.

My life was then barely endeavored. Whatever happened was both irritating and depressing and it was well nigh impossible for me to withdraw my thoughts for any considerable time from my ailments and sorrows. So seriously was I affected by my gloomy feelings that at one time my physician said to me that I had without doubt crossed the boundary between neurasthenia and melancholia. At the time of this writing I am much better of the disorder but to all human appearance there is no likelihood that I shall cease to suffer from nervous

## Chapter II.

## Early Childhood.

My physical condition at birth was far from being sound. I was thin to the verge of emaciation, what was generally termed "scrawny," and my whole system was permeated with a scrofulous taint which, within a few months, developed in a painful swelling on my neck, so malignant that it became necessary to have it lanced by a surgeon, the scar remaining to this day. Added to this drawback I was born with a physical malformation which, from the first, seriously affected my nerves and clouded my feelings with mental depression from my earliest recollection. The difficulty might have been removed with comparative ease at any time in my early life, but its existence was not known until I was nearly fifty years of age. A few years after it was discovered a foolish attempt was made to correct it by an operation, the result of which was to take away every possible chance left me for the enjoyment of anything approaching nervous strength.

This continuous irritation of my nerves was seriously detrimental to me in all the affairs of life. From childhood until now I have always been unduly sensitive and much of the time the harbinger of morbid fancies, amounting at times almost to delusions. From the time of the operation I have referred to I lived for years in a cave of mental gloom so dark that nothing could make life more than barely endurable. Whatever happened was both irritating and depressing and it was well nigh impossible for me to withdraw my thoughts for any considerable time from my ailments and sorrows. So seriously was I affected by my gloomy feelings that at one time my physician said to me that I had without doubt crossed the boundary between neurasthenia and melancholia. At the time of this writing I am much better of the disorder but to all human appearance there is no likelihood that I shall cease to suffer from nervous

debility while I live.

The lack of vigorous health was always a decided handicap to me in the race of life. To achieve the highest success possible in view of one's talents and opportunities, one must have strong nerves. And the want of these at the outset and during the whole of my active life, deprived me, without fault on my part, of the ability to achieve what I might otherwise have accomplished. An eminent surgeon once said to me, referring to my physical history, "You have never had a fair chance."

My native physical defects caused me to be what people in these days termed "stunted", that is, undersized. This was a matter of concern to my parents, but never to me. I cannot remember that, even when a small boy, I was ever desirous of being larger. My ambitions lay in a wholly different direction.

In the year 1841 or early in the year 1842-- I think the latter--my father returned with his family to Edinburg, Portage County, Ohio. There he obtained in some way a small tract of land immediately adjoining land owned by his father. I have somewhere in my possession a deed describing the land belonging to my father but, unfortunately, it is not where I can examine it at the time when this is written.

I can remember the place where my father lived in Ohio but indistinctly. As it seems to me the road in front of the farm ran east and west, but I have been told that it really ran north and south. I have heard it said that my grandfather's farm, after he had bought the land belonging to my father, was very long in proportion to its width and I think that this must have been the case because, as I remember it, the entire width of the land owned by both my father and my grandfather could not have been more than about forty rods in width, as it bordered on the road.

I am pretty sure that the house we occupied was a log house, containing but one room. It stood very near the road, there being little or

no space between the house and the boundary of the highway. It must have been located near to the line between my father's land and that of one William Coe. Back of our house was a hill and on the top of the hill was the house of William Coe. The only children in that family, of whom I have any recollection, were LeRoy Coe and Henry Coe. Henry was about the age of my brother Samuel; LeRoy was older. Beyond the Coe house, but how far I do not remember, was a small stream, called a "run" in that locality, this particular brook being known as "Barrel Run," though why it was so called my father, on inquiry, could not learn. Somewhere in the vicinity of the Barrel Run lived Arlington Avery, a man named Spellman and some others whose names I have forgotten.

In front of our house was a small garden, with a little brook running through it. I can remember catching minnows out of this brook with a bent pin for a hook and a bit of earthworm for bait. Beyond the garden was a field, a part of my grandfather's farm, extending along the highway to the line between his land and that of Whitney Chapman. Through this field flowed the brook I have mentioned, coming from what we called "Whitney Chapman's woods", then flowing parallel with the road until it reached that part of our garden farthest from the road, then turned abruptly to the left, flowed through our garden, then into and across the road. Where it ran after that I do not know.

Back of the field I have mentioned and at some distance from the highway, stood my grandfather's house. I think it was a "framed" house and it stood on a hill. It could not have been many rods from my father's house but I could not attempt to give the distance even approximately. A path ran from my father's house to that of my grandfather. There was doubtless a barn of some kind and perhaps other outbuildings near my grandfather's house, but I have no recollection of them.

Not far from the line of my grandfather's farm and on the side of the road opposite to that on



which my father and grandfather lived, was the home of Whitney Chapman and his family. The eldest child, Sarah, was about my age and she and I used to go from school hand in hand as far as her home. Of course my older sister and brother used to tease me unmercifully about Sarah Chapman. Beyond the Chapman house and on the same side of the road, lived a man named Shewell and his family. The eldest child in that family was a girl named Eliza, also about my age. She used to take my other hand and walk with Sarah Chapman and me from school as far as her home, but I was never teased on her account as she was not my favorite schoolmate and Sarah was.

Beyond the Shewell residence and on the same side of the road, was the school-house and beyond that was a brick house where lived a man named Plummer with his family, including an adult son, Asa, who was quite a character in the neighborhood. On the side of the road opposite the school-house and not far from it, lived Harvey Avery and his wife and their son, Revilo Avery and his wife. An older son, Arlington, lived in the opposite direction from my father's house, as I have noted. The Averys all removed to Kalamazoo County, Michigan, at some time in the year 1845. My father and grandfather and their families were from the State of New York, the Plummers from Pennsylvania; all the others living in that region were from Connecticut.

At some distance beyond the Plummer farm was "The Center." And the use of that designation requires explanation. When the Western Reserve was surveyed, under the authority of the State of Connecticut, a highway was laid out on each of the four sides of every township, another highway running east and west and another north and south midway between the township lines. At the point where these latter roads crossed, at the centre of the township, or as near to this point as the nature of the ground would admit, a village was projected, and this village was, at the time of which I write and probably still is, called "The Center" by all the inhabitants.

of the particular township in which it was located.

I do not know how far my father's farm was from Edinburg Center, but think it was not far from two miles. I remember walking with my brother Samuel from our house to the Center on one occasion, but the only thing I can remember seeing there was a squirrel in a cage and of seeing him run in a wheel by the side of his cage and thus spin the wheel round and round.

I have given all the foregoing locations from memory, but think that they are substantially accurate.

My sister Mary Jane was born November 1, 1842. Why she was given those names I am not at all certain, but think that they were bestowed as the result of a compromise between my father and mother, my mother wishing to name her Mary and my father being partial to the name Jane. In the family she was always called "Jane." From infancy she bore a striking resemblance to my mother and has always been a Peirce in both looks and disposition. She attended a country district school from the time she was about five years old until she was ten years of age, but was not quick to learn the things she studied. At the age of ten or eleven she was, at my mother's suggestion, taken out of school altogether to assist in housework. After my father's second marriage she became homeless. She at one time attempted to learn the milliner's art, but for some reason did not continue in the business. She lived for a number of years in the family of a man named Cole, in the southern part of Calhoun County, Michigan. After that she lived at various places--being a member of our family in Kalamazoo for a year or two--and when my father's second wife died my sister went to live with him, at Pokagon, Michigan, and continued to live with him until about the year 1893, when she came to Kalamazoo. About the year 1896 she removed to Ann Arbor, Michigan, where she has ever since resided. If in her later years she has not always been as gentle in her disposition as her relatives could have

wished, the foregoing brief and imperfect outline of her history suggests for her an ample excuse.

My brother Minerson Erastus was born August 10, 1844. The names given him were those of his father and of his father's brother. In the family and by others he was always called Erastus. His health was never good and he suffered from organic disease of the heart from childhood until the time of his death. His early educational advantages--like those of the rest of the family--were exceedingly limited and when a boy he was not noted for being studious or for acquiring knowledge readily. After the general dispersion of our family, occasioned by my father's second marriage, Erastus drifted hither and thither, living with my brother Samuel a part of the time and at other times working on a farm as he had opportunity. For a short time he was employed in a hardware store in Battle Creek, Michigan, but did not succeed in retaining his position. While at Saranac, Michigan, in the late sixties or early seventies, he became interested in the Protestant Episcopal Church, and from Saranac he went to Nashotah, Wisconsin, where he attended the Theological Seminary for two or more years. Upon leaving that institution he was ordained as a minister of the Protestant Episcopal Church and for two or three years he was Rector of the Episcopal Church at Three Rivers, Michigan. He left that place to assume the office of Rector of St. Luke's (now St. Mary's) Episcopal Church at Kansas City, Missouri, which position he filled until his death, January 20, 1879. He was an able preacher, a good organizer and efficient in all executive matters, had fine social qualities and was very popular, not only with his church people, but also among business men and in the highest social circles of Kansas City during the last year or more of his residence in that city. Shortly before his death he was visited by Bishop Robertson of the Diocese of Missouri, and when Erastus passed away, the grief over his death seemed to be universal, sincere and pro-

found, throughout the whole of Kansas City. Brief funeral services were held in Kansas City and elaborate services were held in St. Luke's Church, Kalamazoo, attended by the Bishop of the Diocese and eminent clergymen from different parts of the State of Michigan. Contrary to the usual custom on such occasions, brief addresses were made by the Bishop and others, who spoke most appreciatively of the character, ability and work of the deceased.

I cannot tell how old I was when certain events occurred which are among my earliest recollections. I can remember being taken from my bed in the middle of the night by my father and carried to my grandfather's on the night that my brother Erastus was born, but I am sure that my recollection extends to a time anterior to that. I can remember being at a religious meeting in the school-house on a summer afternoon, which I think was in the summer of 1843, although it may have been in 1844. I can only remember that a hymn was sung, to which I listened intently but could not understand the words. But the concluding word of one stanza I understood to be "stones" so I echoed the word by singing "stones" at the top of my voice and was peremptorily hushed to silence. I can also remember many things that happened while my brother Samuel, my cousin Hiram (who lived with my grandfather) and I were playing together; among them an occasion when we played that we were sending a ship to China, the ship being a piece of board, the cargo sand, and China the bottom of the brook near the line of the Whitney Chapman woods. The board, after being loaded, would sink out of sight, and after the sand was washed off by the action of the water the board would return to the surface, which, to us, was the return of the ship from the voyage. This, I think, must also have been in the summer of 1843, but it may have been in 1844.

I remember still more distinctly an injury which I received in the summer of 1843 or 1844, presumably the former. Early one morning my father went to a pasture field at some distance



from our house, to drive a pair of oxen to a yard near the house for the purpose of yoking them, taking me with him. One thing that leads me to think that this was in 1843 is that I remember that I could not walk very well so my father carried me. On arriving at the field my father found that the oxen had escaped into an adjoining field of standing corn--the stalks being fully grown. Putting me on the ground in the corn-field near the pasture, my father attempted to drive one of the oxen through a gap in the fence, when the animal ran over me, threw me down and stepped on my forehead, slightly fracturing the skull. My father caught me up and went rapidly to the house. I was crying bitterly and my father asked me on the way if my head ached, to which I answered that my head ached and my throat ached. When we arrived at the house, my face was so pallid that my mother on seeing me thought me dead and cried out and swooned. What I have related is all that I remember of the incident. That my mother thought me dead I know from having heard her say so in after years.

For a good many years there was a decided enlargement of the skull at the place where the ox stepped on it and even now the place is easily discerned by the sense of touch. For a long time after this injury I was afraid to go near cattle; a fear that was not diminished by an incident that occurred shortly after our removal to Michigan. I was directed by my father to take a dish of salt and with it try to induce a refractory cow which he was leading to go through an opening in a fence. But the cow became unmanageable and ran over me, throwing me down and spilling the salt in such a way that a portion of it went into my right ear. That ear has never been normal since that day.

And while I am telling of injuries in early life, I may as well relate that in the winter of 1845-6, some older boys were coasting down a hill in the field nearly opposite our house and took me on the sled in front of them. The sled ran into a fence and I was thrown off, striking

my forehead on the end of a rail. I was badly stunned and for several years after the injury there was a visible projection of my forehead at the place injured. It has now wholly disappeared.

I do not know when I began attending school, but think that I attended somewhat irregularly in the summer of 1844, although I have no distinct recollection of the fact. The name of the teacher was Helen Barron. She afterwards married a man named Bostwick. For a number of years--until in the 70's or 80's indeed--she was a writer of poetry for newspapers and magazines, some of it possessing considerable merit. I remember that I attended school, at least occasionally, in the winter of 1844-5. The name of the teacher was Athaliah Strong. I began attending school regularly not later than the summer of 1845. The name of the teacher that summer was Lorinda Davis. I again attended regularly in the winter of 1845-6, the teacher being a Miss Maria Clark.

I learned the alphabet at least, before beginning to attend school. I have more than once heard my mother tell how I began learning the letters of the alphabet. When barely old enough to walk and talk my attention was attracted by the letters of the words "Garden Seeds" on a box standing on a shelf in <sup>the</sup> living room of our house, and I asked what they were. When told the name of a letter, I would go about my play for a time and then return and ask the name of another letter. This went on until I had learned the name of each of the letters in the two words. In the case of nearly all the letters, I was told the name but once and all were learned within an hour or so, and never forgotten by me.

The earliest recollection I have of being in school, is of sitting on a low bench in the school-room, holding in my hand a "Webster's Elementary Spelling Book" which was open at one of the first reading lessons, consisting of the words "Spla, sple, spli, splo," &c., and telling the boy who sat nearest me that that was my lesson. I can remember only a few incidents that occur-

red in the school-room in the winter of 1845-6, and practically none that happened in the summer of 1845. I do remember, however, that the scholars regarded Lorinda Davis as a "good" teacher, that is, a kind and pleasant one, and that soon after Maria Clark began teaching in the winter of 1845-6, I and some others of the boys of my age spoke of her as being "cross."

At the close of the school term of 1845-6 I was in the class using McGuffey's Second Reader. I distinctly remember when it was decided in some way that I was to be promoted from the First to the Second Reader, and my delight when my parents went to Ravenna (the county seat) and bought a new Second Reader for me. They doubtless had other matters to attend to at Ravenna on that occasion; but when they set out and when they returned I assumed that the only business that took them to town was to buy the book.

I do not think that I had any regular studies except reading and spelling during all the time I attended school in Ohio. I was probably taught other things in school, as it was the custom then to teach many things--such as primary numbers, local geography, the days of the week and the months of the year, tables of measure, names of prominent officials, names of metals, &c., without a textbook. I cannot remember that I received any instruction of this character, but presume that I did.

The next important event in my life of which I have any recollection will be recorded in the next chapter.

My father's death was a great loss to the family. It is probable that the rest of the family did the same, but I do not remember it. I can also remember that among my possessions about that time was a circular tin whistle in which I took great delight. I have been told, although I have no recollection of the fact, that when my parents were packing our goods I took occasion to pack my whistle with them and that it was somehow "lost in transportation." I distinctly remember my grief over the loss and that I mourned for my whistle for years. I

Chapter III.  
Removal to Michigan.  
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In the winter of 1845-6 my father's time was occupied largely with hauling goods from Pittsburgh, Pa., to Edinburg Center. This work was done for one Bostwick who carried on a small dry-goods and grocery business at the Center and purchased his goods mainly at Pittsburgh. My father always spoke of him as "Delzen" Bostwick from which I infer that his name was Mendelssohn. The time required for these trips to Pittsburgh and back with a team of horses and wagon I do not know, but presume that it was at least five or six days. I can only remember, somewhat indistinctly, the fact that my father was gone at times for a number of days, and that I was told where he had gone and for what purpose.

I do not know just when my father decided to emigrate to Michigan, nor why he was led to take this step. But from remarks made by my parents I conclude that in this he followed the example and was induced by the representations of the Averys --Harvey, Arlington and Revilo--who, with their families, had removed to the State of Michigan in 1845 and had settled in Kalamazoo County.

I can remember, with more or less distinctness, the preparations for moving, the packing of the goods in boxes, and the fact that my sister Harriet, my brother Samuel and I slept at my grandfather's for a number of nights before our departure. It is probable that the rest of the family did the same, but I do not remember it. I can also remember that among my possessions about that time was a circular tin whistle in which I took great delight. I have been told, although I have no recollection of the fact, that when my parents were packing our goods I took occasion to pack my whistle with them and that it was somehow "lost in transportation." I distinctly remember my grief over the loss and that I mourned for my whistle for years. I



also remember that shortly before our departure my Uncle Silas gave me a fine, new Barlow knife, with a single blade, a kind much in vogue in those days. Several years after that time I loaned the knife to my brother Samuel for a temporary purpose. He laid it down on the beam of a plow he was using, forgot it and plowed it under the ground. Five or more years later I accidentally discovered the knife while I was at work in the field where it was lost, but its usefulness as a knife had departed.

The larger part of our household goods were shipped by my father from Cleveland, Ohio, addressed to himself at Kalamazoo, Michigan. His intention was (and it was so indicated on the packages) that they should be taken by boat to Detroit, thence to Kalamazoo by rail. But the Michigan Central Railroad was not then constructed as far as Kalamazoo, and it is probable that, partly on this account and partly because my father marked the packages with the word "Steam" instead of "By rail" and partly through carelessness on the part of the carriers, the goods were taken past Detroit and around through Lake Huron and Lake Michigan and discharged at St. Joseph, Michigan, then the principal port on the eastern shore of Lake Michigan. In the spring or summer of 1846, my father hauled these goods from St. Joseph to our home, making two trips for that purpose, each trip requiring not far from four days of time. Many of the goods, when they reached our home, were badly damaged and some were lost, but my father never attempted, so far as I know, to obtain any compensation for the loss.

Our going to Michigan was delayed for some days on account of my sister Jennie having scarlet fever. Whether the attack was before or after my parents broke up housekeeping and went to the house of my grandparents, I cannot remember, but I think it was after. My recollection of the fact is very dim indeed. ~~Strange~~ Strangely enough none of the other children in the family or in the neighborhood took the disease. ~~He was just recovering from scarlet fever~~

I can remember somewhat distinctly our setting out on our journey to Michigan, in the ~~men~~ month of April, 1846. For the expedition (for so it then seemed to me to be) my father had provided two conveyances--one a lumber wagon with bows and sheeting, instead of canvas, over the top, (somewhat after the fashion of the prairie schooners which were quite common in the west in later years), drawn by two heavy black horses, the other a light buggy with a single seat and drawn by one horse, a gray mare. In the wagon were carried a bedstead, some bedding, a large red chest containing clothing, &c., and other things for which there would be immediate need on our arrival at our destination. In the chest my father carried the greater part of ~~his~~ money, but the amount could not have been more than one hundred to two hundred dollars.

On the day of our departure the weather was warm but the skies were overcast and rain began falling soon after we were fairly under way. The neighbors began gathering early in the ~~the~~ morning to bid us good bye, as it was not thought probable that they and we would ever meet again in this life, and I think that none of us ever did. To go from Ravenna to Kalamazoo now requires but a few hours, but it took more than the same number of days then, and people in our circumstances traveled very little. This made the assembling of the neighbors at our house on that April morning a sad and solemn occasion. A hymn was sung, a prayer offered, tearful good byes were said and we were off on our long journey, my mother weeping bitterly, my father looking sad, and my delight at the strange experience on which I was entering was greatly subdued by the evidences of grief which I saw but did not at all understand.

When we started on our journey my father was driving the horses that drew the wagon, and my brother Samuel--although he was then only eight years old--drove the horse attached to the buggy. In the wagon were my mother with my brother Erastus, then a babe in arms, my sister Jennie, who was just recovering from scarlet fever

(and who lay on a bed made up on top of some of the boxes in the wagon) and myself, I sitting at or near the front of the wagon, close to my father. In the buggy my sister Harriet rode with my brother Samuel. But this arrangement was not maintained throughout the journey. Generally my father drove the team and my mother or my brother Samuel drove the single horse, but I can recall times when my brother drove the team, sometimes under my father's direction and sometimes alone. I have no remembrance of any time when either my sister Jennie or I rode in the buggy, but the others of the family rode in the wagon or in the buggy as it might happen, the place of each depending, I presume, somewhat on the condition of the roads over which we traveled.

It was but natural that our progress through the country from Ohio to Michigan should be filled with incidents, commonplace enough in themselves, but fraught with deepest interest to a boy five years of age and of my temperament. The diversified character of the country through which our route lay, with its charming wealth of fields, meadows, woodland and forest; the streams and bridges we crossed, the people we met, the little towns through which we passed, (for we went through no large cities) the country or village taverns (there were no hotels in this country in those days) at which we stopped for meals or stayed over night, were all impressed on my consciousness and given an important place in my memory.

I have no remembrance of the fact, but I have heard my father say that on this journey a large quantity of cooked food was carried in the wagon, and that when we stopped for the night, instead of engaging our meals and lodging he paid the landlord for our lodging, for the feed for the horses and for the privilege of preparing and eating our meals in the house; and that we lived largely on the food brought with us. I do not remember that I ever heard him say how the meal for ourselves and the feed for the horses at noon were provided for, and I have

no recollection whatever on that subject.

In his later years my father was not able to tell me very definitely just the route we took in going from Edinburg, to Kalamazoo, but the general course was, I presume, in a northeasterly direction until we reached Lenawee County in Michigan. Whether we went through Adrian I do not know, but presume that we did. It is certain that we passed over the highway running close to the track of the railroad from Adrian to Tecumseh and in this way I obtained my first sight of a railway engine and train. The road was constructed--as were all or nearly all railways in those days--of what was called the "strap rail", that is, by laying on the ties very light pieces of timber, about four inches square I should say, or perhaps less, and on top of these wooden rails were spiked flat bars of iron, about the width of the rails underneath, and from one inch to two inches thick. The dimensions of the rails and iron "straps" are given from casual observation many years ago and may not be very accurate.

The first train we saw overtook us. My father saw the smoke of the engine and directed those of us who were in the wagon to alight, and then called to my mother, who was driving the buggy, "Hurry up, the cars are after you!" The black horses were tied and my father stood at their heads holding them by their bridles. The mare was taken out of the buggy and fastened to a tree. There was time for making all these preparations before the train was near enough to frighten the horses, as it was not making more than fifteen to twenty miles an hour at most, the character of the rails not permitting a much higher rate of speed. All the horses were greatly alarmed but did not act as badly as was feared.

Before we reached Tecumseh we met another train and the same preparations as before were made. This time the horses seemed more terrified than on the previous occasion. I remember seeing the gray mare, while the train was passing, flying round and round the tree to which



she was tied, wild with terror and vainly trying to break away. I can also remember that after one of the trains had passed I went to the track, took off my mitten and laid my hand on the rail to ascertain whether it was hot.

At the time when my parents were emigrating from Ohio to Michigan, my mother's brothers, Harry and Lyman, were living in the township of Napoleon, Jackson County, Michigan, and my parents so shaped our route that they could visit my mother's brothers above named, on the way. It was not intended that we should stop longer than a few days, but our stay was prolonged for several weeks--two or three or more--on account of my sister Jennie being again taken with the scarlet fever--a relapse of the former trouble. The first attack had been a severe one--so serious that my grandfather feared that my sister would not recover--and the second seemed to be as severe as the first. Whether she was ill at my Uncle Harry's or my Uncle Lyman's home I cannot remember, but think it was at my Uncle Lyman's. All the children of the three families were allowed to be at my sister's bedside as much as they pleased during her illness, but none of them contracted the disorder.

From Napoleon township our way led to Jackson, thence along the Territorial Road through Marshall, Battle Creek and Galesburgh to Kalamazoo. Of our passing through these places I remember nothing clearly. I have only a dim impression that we stayed at Marshall over night. But I remember very clearly our arrival at the Averys on Grand Prairie, a few miles west of Kalamazoo and the effusive greetings we received and that Jane Avery--Arlington's wife--lifted me out of the wagon and led or carried me into the house, saying to me at the same time, "That's the talk, my boy," though I hadn't uttered a word.

How long we remained at the Averys I do not know but think that it was not longer than a week or two before my father bargained for a farm and moved on to it with his family. He purchased the northeast quarter of section

twenty-one, township two south, range nine west, the land lying in the township of Charleston, Kalamazoo county. I have often remarked that had my father searched the whole county over he could hardly have found a poorer quarter section of land. Just why he selected it I do not know, as there was an abundance of land in Michigan for sale cheap at that time. The tide of immigration which rolled into the State from about 1832 to 1840 was receding and many who had come into the State during the period named had become homesick or discouraged and were anxious to sell out and return to the more thickly settled States in the east, whence they had come.

The reasons which influenced my father in making the choice he did were probably these: He was anxious to secure a considerable quantity of land, and so was willing to sacrifice quality for quantity. Another reason may have been that in buying the Charleston farm he was able to pay a part of the price by the seller agreeing to take some of the personal property my father brought from Ohio. I am sure that the gray mare and buggy and I think the black team and wagon were thus disposed of. At any rate my father parted with the three horses, the wagon and buggy, soon after we moved upon the farm.

The land my father purchased was fertile but very stony, so full of stones that in places cultivation was well nigh impossible. It was also quite hilly and abounded in little ponds, so that there was, in the whole, a great deal of waste land. The better and more level part of the farm was farthest from the road, thus compelling those who tilled the land to go a long distance to their work. When my father bought the farm he was assured that a highway would be laid out on the west line of the farm, and his intentions were to remove or abandon the buildings on the road running on the east side of the farm and build on the highway on the west side when the latter should be established and opened. This would bring his residence half a

mile nearer the market town, Galesburgh, and add greatly to the appearance of the farm when seen from the road. But when, after some months, he attempted to have the west road established the project met with so strong opposition that it had to be abandoned.

My father purchased the farm of one Ansel Shaler. Revilo Shaler, Thomas Shaler, Ansel Shaler, Thomas Gray, and a man named Robbins, had moved into that neighborhood a few years before our advent. Mrs. Gray and Mrs. Robbins were sisters of the Shalers and the Shalers and Thomas Gray had purchased farms lying near each other. Thomas Shaler and Thomas Gray remained in that neighborhood for a number of years, but Revilo Shaler died and Ansel Shaler and Robbins went elsewhere, I do not know where. When we arrived Mr. Robbins was living on the farm that had been owned by Revilo Shaler.

When my father purchased the farm of Ansel Shaler the latter had no deed of the tract. He had entered it at the land office but had never completed the purchase. My father afterwards paid to the United States the amount due for the land and the patent deed was issued to him. How much he paid for the land in all I cannot recall, but I think it was three hundred and fifty dollars and a part or the whole of the personal property I have mentioned.

The only remembrance I have of our going from Grand Prairie to take possession of our home in Charleston is of the last part of the journey. I presume that we all went together in the same manner as that in which we came from Ohio, but of that I am by no means certain. All that I remember is that my father, my brother Samuel and I were riding in a wagon and my brother repeatedly asked whether each house we came in sight of was ours, to which a negative reply by my father was given. At length on my brother asking the usual question my father answered, "No, Mr. Robbins lives in that house." Both my brother and I at once said, "He must be a robber." My father then pointed out our house to

us, which was in sight and only a few rods away and on the west side of the road, the Robbins house being on the east side.

I naturally approached the house with a great deal of curiosity and interest. I had heard one or both my parents say that it was not a good house nor a very bad one. So when I walked through the front door into the one room the house contained, I looked about me with a critical air and announced in an oracular way, "A ~~pre-~~ pretty good house." As this house was my home for eleven or twelve years, and as it was very similar to all the dwellings in that part of the country at that time, I will describe it rather minutely.

There was but one room in the house, about fourteen by fourteen feet, as nearly as I can now estimate its dimensions. It was made of unhewn logs, notched at the ends so as to leave little space between the logs. In this space triangular strips of wood of irregular lengths were inserted from the outside and covered with wet clay, so as to make the walls practically impervious to the cold. The house had no foundation, the bottom logs being laid on the ground. At what was deemed a proper distance from the ground the timbers for the upper floor were laid, which were simply rough logs placed about four to six feet apart, the ends resting on the east and west walls of the house--if such they could properly be called. In the house I am describing the space between the lower floor and the upper floor logs was only about five feet and ten inches, so that a tall man could stand upright only in the spaces between the ceiling logs. I remember that Revilo Avery, while visiting at our house, used often to bump his head on these logs while passing from one part of the room to another.

After two or three logs had been laid above the logs for the upper floor, no more were laid on the east and west sides of the house, and on the north and south sides the logs were cut shorter, so that each log was about two feet



*this is right*

less in length than the one next beneath it, the top log at each end being only two feet long or thereabouts. In the spaces thus left at the ends of the upper logs the ends of the roof timbers were laid, which were simply long, straight, rough poles running from the north to the south end of the house. Near each end of these poles a hole was bored and a corresponding hole in the log on which the end of the pole rested, and the pole was fastened by stout wooden pins driven through the end of the pole and into the log. No roof-boards were used nor shingles, but the covering of the house consisted of what were called "shakes", the same being strips of wood about three feet long, cut as thin as possible from quartered logs with an instrument called a "fro", but whether spelled f-r-o or f-r-o-w I do not know. These shakes were laid on the roof-poles and lapped like shingles, but were not nailed as nails were too scarce and too expensive to be used when their use could possibly be dispensed with. They, the shakes, were held in place by slender poles laid across and at the middle of each row and firmly secured by strips of wood fastened to each end of the pole and to the side of the end logs of the house by boring through one end of the strip and into the end of the pole, and by boring through the other end of the strip and into the house log and driving wooden pins in the holes thus bored; in that way saving nails, as was done in the fastening of the roof-poles. Roofs constructed in that way were far from being tight, but they would generally shed the rain except during the hardest storms. How much the roof of our house lacked of being impervious to storms is shown by the fact that in the winter season I have many times on arising in the morning found my bed and the floor of the upper room thickly covered with snow.

In many log houses the floor was constructed of what were called "puncheons", logs split in halves, the flat side roughly dressed with an adze and laid on the ground, the flat side uppermost. In our house the lower floor was con-

structed of logs laid on the ground and covered with boards (or plank) about an inch and a half to two inches thick. Whether these boards, or plank, were nailed to the logs underneath them, I cannot say, but think that they were not. The upper floor was of rough inch boards loosely laid on the logs which supported them, and with such large spaces between the boards that when the upper floor was swept no small part of the sweepings would fall into the room below. The upper room was reached by open stairs--or steps--in the northeast corner of the lower room.

There were two doors to the house, one on the east and one on the west side. There were two windows to the room below, one close to and south of the door on the east side of the house the other at about the center of the room on the south side. The chamber was lighted by a small window on the south end. If I remember aright each of the lower windows had but a single sash containing about twelve panes of glass seven by nine inches in size. The door frames and window frames were fastened by boring through the frames into the ends of the logs at the sides and driving in wooden ~~wooden~~ pins.

At the north end of the house was the fireplace and chimney, the former an opening through the end of the house, five feet or more wide and about four feet high, with a thin wall made of rough stones on the east and west sides of the opening and extending some three feet outside of the house and connected at the north by another wall of the same sort and height, thus enclosing on three sides a space about three by four feet and opening into the room. The bottom was paved with flat stones as broad and thin as could be found, this pavement extending into the room a short distance, the broadest stone being placed farthest inside the room and forming the hearth-stone of the pioneers of the west. On the wall forming the fireplace a chimney was built of rough, thin strips of wood about three inches wide and laid up in the same fashion as

the logs of the house, except that the ends were not tapered. The spaces between these strips were filled with wet clay and the same material was smeared on the inside of the chimney. It sometimes happened that this plastering would be disintegrated in places and the chimney take fire, and though fires caused by "a defective flue" were not so common in those days as in later years, houses were sometimes destroyed in that way.

Within the fireplace swung the crane, which was a rather thin bar of iron, long enough to reach almost from one side to the other of the fireplace, forked and hinged at one end, the stationary hinges at the end of each fork being imbedded in the wall, one hinge above the other. Thus the free end of the crane could be swung forward to load it with the pots and kettles, and swung back to bring them over the fire. These utensils were hung from the crane by what were called "pot hooks", small bars of iron, round or flat, of different lengths, with a hook at each end, one hook passing over the crane, the other under the bail of the pot or kettle. The baking was done either outside the house in a brick oven or before the fireplace in what was known as a "Connecticut baker," a small, low construction of sheet iron and tin, in which food could be baked by heat reflected from the fire.

For a considerable time after taking possession of the farm, the lower room of the house I have described served the family as living ~~room~~ room, bed room, kitchen and dining room. My father and mother slept in a bed in the southwest corner of the room. My brother Erastus slept either in the bed with his parents or in a trundle-bed which was kept under the larger bed by day and trundled out for use at night. In the northwest corner of the room were ~~shel~~ shelves which took the place of a pantry. The dining table stood in the south-east part of the room. The four older children slept in two beds in the upper room. In the upper room was

also the large chest containing clothing and some other things. In this room were kept my mother's spinning-wheel, reel, loom and flax wheel when not in use. When my mother wished to use any one of these articles it was taken down stairs and used near the south-east corner of the room, the dining table being reduced to as small dimensions as possible by lowering the leaves, in order to make room for the wheel or loom. There was also a bureau somewhere in the house but where it generally stood I cannot now remember. I have now named all the furniture (except a few chairs and a clock out of repair) that we possessed of which I have any recollection.

At some time within a year or two after we began living in the house I have described my father built an addition to it almost wholly by his own labor, the only assistance he had being called in when the building was put together. It was constructed of logs split in halves, with the flat side within. It was perhaps ten by twelve feet in size and formed what was called a "lean-to", being placed on the west side of the main building, the logs of the addition forming the enclosure on three sides and the logs of the main building forming the other side. The roof was constructed like that of the other building, except that it sloped in one direction only, from east to west. There were no logs or beams or floor of any kind between the ground floor and the roof of this structure. The west door of the main building opened into the new part in which new part there was one window, located on the west side. This room was not warmed in any way except by the heat of the main room when the door leading into the lean-to was left open. After a time this part of the house was used by my sisters, my brother Samuel and myself as a sleeping room, the bed occupied by my sisters being on the south side of the room, that of my brother and myself on the north side.

The new part of the house had one most ser-



ious defect. The roof had to carry off not only the rain that fell on it but that which fell on the west side of the roof of the main building. The result was that in every rain-storm of any magnitude the rain poured through the roof in streams. The resultant discomfort can be neither imagined nor described. This defect led my father, after the lapse of a few years, to tear down the "lean-to" and remove it to the north side of the main building. The fireplace and stick chimney were removed and a doorway opened where the fireplace had been, a brick chimney, resting on the upper floor of the older part of the house, was built by my father, and a stove purchased with which to do the cooking.

As I have anticipated some parts of this narrative by telling of the building of the addition to the house on the farm, I will briefly add that about the year 1853 or 1854 my father had a roughly framed, roughly enclosed and roughly finished room added to the house on the east side and these three rooms formed the abode of the family until after the death of my mother. In 1857 or 1858 a new house was built a few rods southeast of the old one. At the time of this writing the latter house is still standing, though some additions to it have been constructed since my father sold the farm in the year 1860.

## Chapter IV.

## Boyhood Days.

Of the one hundred and sixty acres of land which my father purchased in Kalamazoo County, about ten acres, lying directly south of the house, had been cleared and were under cultivation when my father took possession of the farm. This ten acre tract was divided into two parcels of about equal extent by a rail fence running east and west. Growing close to the fence was a young peach tree, of a variety called the "Rare-ripe" and bearing excellent fruit--the only fruit tree on the farm at that time. North of the house only sufficient space for a barn-yard had been cleared, the woods approaching to within about ten rods of the house. In this space stood a shed, closed on three sides and open towards the road on the east. The roof was a covering of straw and this shed furnished the only shelter for the live stock on the place, there being no barn. In the extreme north-west corner of the farm about ten acres had been cleared of the timber and had been plowed at some time, I think, but no crop was growing on this clearing when we came upon the farm. Aside from the two cleared pieces I have mentioned, the farm was an unbroken wilderness of the same character as that which covered the major part of the southern portion of the lower peninsula of Michigan at the time of which I write. Land of this sort was termed "oak openings" to distinguish it from "timbered land," that is, land covered principally with beech and maple timber, the trees on the "timbered land" growing much nearer together and much taller than did the oaks and the few scattered hickory trees growing with them on the "oak openings." Before the settlement of Michigan by the whites, the Indians kept the woods free from undergrowth by burning the leaves on the ground in the spring; but when our family came to Michigan this annual burning of the leaves in the woods had been so long neglected that a considerable growth of saplings had fill-

ed the spaces between the larger trees, adding greatly to the labor of clearing the land.

I cannot remember what crops--if any--my father raised on the clearing near the house in the summer of 1846. I have an indistinct impression that he sowed the south five acres with spring wheat and planted the north five acres with corn. Of course he planted a garden in front of the house, but he obtained nearly all the food for his family that summer by working for the neighbors, taking his pay in provisions. He took a field of grass belonging to Stephen Eldred, on Climax Prairie, to cut on shares and thus obtained provender for his animals during the winter. I have heard him say that in harvest time he received one bushel of wheat for each day's work that he did. Of money he received none as there was almost none at that time in that part of Michigan where we lived. The people ate what they raised, and for clothing they exchanged either their labor or the products of their farms. One Methodist preacher, whose circuit (the Kalamazoo Circuit) at about that time embraced all the territory in southwestern Michigan, once told me that in those days he hardly saw a dollar in money from one year to another, and yet he and his family lived comfortably by means of the provisions and dry goods given him by the members of the church he served, and by others. When my father and mother came to Michigan each of them had a silver fifty cent piece, a gift from Major Peirce, as keepsakes. But as my father had no produce from his farm to exchange for groceries, these mementoes were parted with for tea, which could not otherwise be procured. It would require quite too much space to tell of the various expedients resorted to by the pioneers of those days to eke out their slender fare. And in spite of their efforts and ingenuity in this direction they suffered many real hardships. I can distinctly remember that in our family none of the five growing children was given one half as much to eat as would be allowed to any healthy child in these days. Food was so scarce that it was necessary that we should be limited to an amount so small that we seldom knew what it was

not to be hungry.

As regards clothing the conditions were slightly better, though far from being comfortable. My parents brought into Michigan a fair quantity of clothing for themselves and their children and as one article after another was worn out it was replaced by something not so good but which would answer the purpose. My father raised sheep and my mother scoured, carded and spun the wool, dyed it and wove it into cloth and fashioned and made the clothes for nearly every member of the family, male and female. This cloth was of a sort called "homespun" in those days and a garment made of it could be worn every day for years. My father had a "Sunday suit" and my mother a "best dress" and these sufficed for Sunday wear and for extra occasions for a number of years. My father also raised flax for a few years, which he broke and hatched and which my mother spun on a flax wheel and from it made much of the linen used in our house for several years.

The problem of supplying head-gear and covering for the feet had to be solved in a different way from that of furnishing clothing for the rest of the body. My father brought a hat and my mother a bonnet into the State when we came from Ohio. I remember nothing of my mother's bonnet except that she had one. My father's hat was of much the same shape as the silk hats of the present day, but was much wider at the top than at the bottom of the crown, and was made of beavers' fur. The girls wore sunbennets in summer and in winter were woollen hoods knit by my mother or by my sister Harriet, while the boys wore caps the year round, but how they were constructed or obtained before my parents were able to buy them, I have no remembrance.

In the summer all the children went barefooted. Until I was about twelve years of age, it was a matter of course for me to lay off my shoes early in the spring and not put them on again until late in the fall. But in the winter shoes were a necessity and these could not be furnished at home. I do not think that a shoe-maker ever came to our house and made the shoes



for the family, as was the custom in some localities at that time and at an earlier period, but I well remember that something more than a year after we came to Michigan all the children in our family were taken by my father to the shop of Moses Hodgman at Climax Corners and the feet of each one measured for a pair of shoes.

It ought to be said in this connection that in those days clothing was as sparingly furnished and as carefully husbanded as was food. I cannot remember anything definite as to the clothing of the girls, but I do remember that through the whole of my boyhood I never wore anything in the shape of underclothing. In winter I wore a coat, vest, shirt and trousers of homespun cloth, knitted half-hose, shoes and a cap. In summer I wore only a cap, a shirt made of coarse cotton goods--like denim--and a pair of homespun trousers held up by knitted suspenders.

At some time in the spring or summer of 1846, my father purchased a cow that was called "Old Red" by the family on account of her color. She proved to be a good milker and her progeny increased from year to year until we had a fairly good but small herd of horned cattle, the males being used as working oxen and the females adding to the supply of milk for the family and butter for family use, and for sale. "Old Red" lived to be more than twenty years of age and was finally slaughtered for beef; but so rapidly did she take on flesh during the fattening process that the flesh was as tender as that from the carcass of a young steer.

I cannot remember whether it was in the autumn of 1846 or in the spring of 1847 that my father purchased a French pony, a bay mare, which my sister Harriet named "Kate." The pony was bought of a man named Henry Dickie, who lived on a road running north and south about a mile east of the road on which we lived. My father paid twenty-five dollars for the mare, and the colts he raised from her were sold at various times for sums aggregating four hundred dollars or more, and for nearly ten years she was a most faithful servant of the family, strong for her size, always in good health and a most willing worker. At about the

same time my father must have procured a yoke of oxen in some way, though from whom they were purchased and what their size, color or characteristics may have been I have little recollection. I can remember that their names were "Duke" and "Dime" and I think that they were red in color. And it was in 1847, I think, that my father obtained a small number of sheep of Matthew Gray, under an agreement to return double that number at the end of three years. This did not prove to be a very profitable agreement to my father, as the sheep he received were not very prolific and when he delivered to Mr. Gray the number of sheep required by the terms of the contract, there were very few left.

I mention these steps taken by my father to stock his farm with domestic animals, because they are a part of the history of our family and had an influence--though an indirect one--on my life in my boyhood.

It may have been in the fall of 1846, though I am pretty sure that it was in the spring of 1847, that my father set out about fifty very young apple trees in the field next south of our house. In purchasing these trees my father had another experience of what he always called his "bad luck" but which was, I think, due to his want of care and good judgment. Instead of going to the proprietor of a nursery who was well known for his knowledge of the business and for being trustworthy, my father went to a man named Angell, near Battle Creek, who had a "cheap" lot of trees about which he knew very little, not knowing what varieties he had nor the location of the kinds he kept in stock. My father told him that he wished as great a variety as possible of early, fall and winter apples. Mr. Angell suggested that if they were to go through the nursery and select a few trees from each row, a variety would be secured in this way. This was done. But when, after three or four years, the trees came into bearing, it was found that nearly half were of one, unknown kind, a fairly good, fall sweet. There was one tree bearing early apples, one Seek-no-further, one Rambo, one Greening, a few others of standard varieties, several of decidedly poor

quality, and one which I chose as my particular tree on account of its size, bore fruit so decidedly inferior that it was evident that the tree had never been grafted.

The township in which my father settled in Michigan, was named "Charleston" in honor of Charles M. Nichols, one of the early inhabitants of the township. As before stated, my father's farm was the north-west quarter of section twenty-one of that township, the north-east corner of the farm being at the geographical center of the township. The farm adjoined a highway running north and south from a highway leading from Galesburgh to Climax, on the south, to the Territorial Road, on the north, a thoroughfare running from Detroit to St. Joseph and passing through a number of what are now among the principal cities of southern Michigan. The distance from our house to Galesburgh was about the same by the Climax road as by the Territorial, but we usually chose the latter, just why I do not know, as by this road we had to ascend a high hill in going from the valley of the Kalamazee to our farm, which was situated in that part of the township known as "The Hill." In returning to our home from Galesburgh by the Climax road there were no difficult ascents.

For a year or two after our removal to Michigan our nearest neighbor was Rowenus Robbins, the house in which he lived being less than a quarter of a mile south of ours and on the other side of the road. His family consisted of himself, his wife, a daughter named Mary, about the age of my sister Harriet, and a son, Henry, about my own age. I have a strong impression that there was a baby also, but of this I am not sure. In the family was a "bound boy" named Oscar (his surname I never knew) of about the same age as my brother Samuel. A little more than half a mile south of our house was the only other house between ours and the Climax road, the residence of Miles Palmer. His house was, like ours, on the west side of the road. There were three children in the family, James, about a year younger than I, John and Jerome, the latter an infant. On the Climax road, to the east, were the homes of

Matthew Gray(?), Isaac Smith and William H. Knapp, all within a mile from the junction of the road on which we lived with the Climax road; while to the west, and within about the same distance, were the homes of Ebenezer Flanders, Thomas Shaler, Pixley Judson, Thomas Gray and Frederick P. Hawver. All the houses I have named were on the south side of the road, except those of Pixley Judson and F.P. Hawver. All these people lived in log houses similar to ours, but generally larger and in some respects better than the one in which we lived.

In the family of Matthew Gray were two sons, Samuel and Willard. Isaac Smith at that time had no children. In the Knapp home was one son, Edgar. The other children in the neighborhood were Myron Flanders, Thomas Shaler, Tyrissa Shaler, Mary, William and Charles Judson, Juliette, Charles, Hannah and Orlando Gray, and John and Frances Hawver. In all the families I have named, except those of Miles Palmer and Matthew Gray, one or more children were born in after years, but the list I have given embraces all I can remember who were in existence at the time of our arrival in the neighborhood.

To the northward there were no settlers between our house and the Territorial road. On that thoroughfare and east of the junction with it of the highway on which we lived, dwelt Asa Gunn, John P. West, a man named Rowley, and perhaps others whom I have forgotten; while to the west lived Orrin N. Giddings (I think), Orra Bush, Benjamin F. Toby and Alonzo Imus. Jacob Blass took possession of the O.N. Giddings farm soon after we came into the county, and I am not sure that Giddings was occupying it at the time of our arrival, nor am I at all certain that the Imus family were residents of the township when we came to Michigan. None of the people living on the Territorial road were in what we considered our neighborhood, but they were people with whom I came in contact, to some extent, in later years.

Asa Gunn, who lived on the Territorial road, quite near the end of the highway on which our house stood, was the first white inhabitant of Charleston, having settled in the township in the



year 1834. He was a very peculiar character. He was considerably older than the great majority of the people living in Kalamazoo county in his day, they being, for the most part, rather young people. He was one of the earlier settlers in the county and when he arrived he could have had his choice of some of the most fertile tracts in that part of the State. But for some unexplained reason he selected a piece which consisted chiefly of wet marsh land, the remainder being mostly infertile, sandy knolls. He was far from being social in his ways, his usual manner being taciturn and abrupt to an extent that appeared to be almost unfriendly. He was not a member of any church, nor in any way religious in his nature, and sometimes was known to use profane language. But he never ate a meal in his own house without a blessing being asked on the food. On one occasion he had a young man named Beckwith working for him for a day only. When the noon-day meal was served, Gunn requested Beckwith to ask the blessing. Beckwith replied that he didn't know how. "-- --you," said Gunn, "then its time you did," and proceeded to ask a blessing himself, in all sincerity.

I have very little remembrance of the events that transpired in our family or in the community during the late spring and early summer of 1846 and before the time when I began attending school; and of that event my memory is quite hazy and dim. I am unable to tell in what month the school began, but presume it to have been in May. At that period in the history of Michigan it was usual to have two terms of school, one beginning in May and lasting three months, the other beginning late in November or early in December and also continuing three months. Only the smaller pupils attended school during the summer term, the older ones remaining at home to work. The school in our district was held that summer in a small, framed building on the south side of the Climax road, between the houses of E.G. Flanders and Thomas Shaler, about a mile from our house. I do not know to what use the building had been put before it was used for a schoolhouse. It was afterwards transformed into a dwelling house.

I think that the only books I carried to school that summer were a McGuffey's Third Reader and a Webster's Elementary Spelling Book. I went to school alone, my sister Harriet and brother Samuel being kept at home, the one to assist in the housework and the other to work on the farm, although they were only ten and eight years of age respectively.

The teacher employed by the school officers of our district that summer, was a Miss Mary Jane West, a daughter of John P. West before named. She afterwards told my mother that when I presented myself at school with a Third Reader, she had no idea that I could read a word from it and that she had never before been so surprised as she was when I read the whole of the first reading lesson in the book without hesitation and without mispronouncing a word.

I am not able to remember what studies I followed during my first term of school in Michigan but I am reasonably certain that reading and spelling embraced the whole curriculum so far as I was concerned. But I can remember going to and from school better than I can recall what occurred during the sessions. I went alone, and for a considerable part of the way between our house and the Climax road the road was a mere wagon-track, with dense woods on either side. I was a nervous, imaginative child and I had heard people talk a great deal about the wild beasts then not uncommon in that part of the country. The wolves had been practically exterminated, but bears were frequently seen and occasionally a panther was heard to scream in the night. It is not strange that I was in great terror while passing through the woods in the morning and again in the afternoon. And this feeling of fear was not confined to that summer. Until I was more than twelve years old I was an exceedingly timid child, and when I had to go anywhere alone I was continually conjuring up fears of some sort. The fear of wild beasts gradually gave place to the fear of other things even less to be apprehended. I can remember that for a long time after reading of the great earthquake in Lisbon, Portugal, I was apprehensive that the

ground might open at any instant and swallow me. And after I began to read newspapers I was in fear of robbers and murderers. What I had to be robbed of or why any one should want to take my life, were considerations that did not enter into the matter at all.

There was no school in our district during the winter of 1846-7 for want of a place to hold the sessions. A new schoolhouse was contemplated or in process of construction, but was not yet available and the place where the summer term had been held was not large enough. What I did with my time that winter I do not remember, but presume that it was spent mostly in play. But I can recall the fact that I read a great deal from my school reader which I kept in a drawer of the bureau, which, if I remember aright, then stood in the lean-to on the west side of the house. On one occasion during a pastoral call by the Methodist minister assigned to the Climax Circuit--Rev. Mr. Young--I went to the place where the book was and carried it into the front part of the house where the minister and my parents were sitting. I had a string tied about the book by which I carried it. When I entered the room Mr. Young said, "That's the boy for me; he has a book." My father remarked that I had it tied up so that it shouldn't get away. It is possible that this incident occurred at a time later than that to which I have assigned it, but I give the time according to my best recollection. I am absolutely certain that the minister was the Rev. Mr. Young, so that the occurrence must have been during his pastorate over the Climax Circuit, which I am quite sure was from September, 1846, to September, 1847.

On the first day of February, 1847, my brother Dempster Dudley was born. I can remember little of his infancy. As soon as he was able to walk and to talk it became evident that he was a child possessing an exceedingly bright intellect, was quick to acquire knowledge and had a very retentive memory. Had not misfortune overtaken him, there can be no doubt that he would have been a scholar of no ordinary ability. But in 1852 he had an attack of measles and suffered a

relapse from which inflammation of the brain was developed. For several weeks his life was despaired of but he rallied for a time only to become a victim of epilepsy by which his mind was gradually impaired to such an extent that it finally became necessary to provide for his care and treatment in a public infirmary. He died in August, 1897, at the Michigan Asylum for the Insane, at Kalamazoo, having been an inmate of that institution for more than twenty years.

In the spring of 1847 a new family moved into the neighborhood, George W. Steuard (as the name was spelled), his wife and daughter, the latter a child of about my own age and named Almeda Levicy (as she and her parents spelled her name). Mr. Steuard was a step-son of Matthew Gray, and his wife was a sister of Thomas Gray. Matthew Gray and Thomas Gray were not in any way related. Mr. Steuard and family had lived in Michigan a few years before, their residence then being in the township of Pavilion, Kalamazoo County. But on account of the mental condition of his wife he returned to their former home in Niagara County, New York, and from there again returned to Michigan and settled in Charleston, as has been stated. I have named the family of Matthew Gray as one of those residing in Charleston when my father moved into that township. I think that such was the case, but I am by no means sure that Matthew Gray and family and George Steuard and family did not come to Michigan at the same time, namely, in the spring of 1847.

For a short time the Steuards lived in a house near the one where Rowenus Robbins and family lived, and on the same farm. Afterwards Mr. Steuard and family lived in the same house with Matthew Gray, on the south side of the Climax road and a little way east of the end of the road running past our house.

Late in the fall of 1846 or early in the year 1847, my father moved a small framed building from where it stood near the road and about half way between the house and the south line of the farm, to a place a short distance north of the house and not far from the shed that has been



mentioned. This transfer was accomplished by calling for the assistance of several of the neighbors with their ox teams, raising the building a few inches with levers and putting under it two strong pieces of rough, round timber, a few feet longer than the building, chamfered at the ends and connected by cross-timbers to keep them from spreading. Several teams of oxen were hitched to each of the two "runners" and by these means the building was hauled to its place, where it served as a stable for the pony and as a place for storing grain.

In the summer of 1847 I again attended school, the teacher being the same as in the preceding summer--Miss Mary J. West. Shortly after the school closed she was married to a young physician, Dr. Isaiah J. Babcock, whose practice was in and about Galesburgh. Afterwards and for several years he kept a drug store in Galesburgh. In the summer of 1860 he and his family were living on a farm south of Galesburgh and on the south side of the Kalamazoo River, he still keeping up his practice. When I went to Kalamazoo to live, in 1865, he was engaged in the drug business in Kalamazoo. I called on Mrs. Babcock and renewed the acquaintance--if such it could be called--of former years, but (very unlike the opinions of all the others of my teachers whom I met or knew in later years) she seemed to have an unfavorable opinion of my ability as a lawyer, and for a good many years before her death she was--greatly to my regret--decidedly unfriendly to me because I failed to win for her a suit in a justice's court, a case in which she was proved by the testimony to be clearly in the wrong and which could never have been justly decided in her favor.

I cannot remember where the sessions of the school were held that summer. I cannot make it seem that they were held in the new schoolhouse, nor that I went to the same building that I did in the previous summer. Nor have I any recollection whether I did or did not attend school during the whole of the term. I think--from what occurred afterwards--that my reading book was changed from McGuffey's Third to Sanders' Fourth, Sanders' series of school readers being

then in general use in the public schools of Michigan, as McGuffey's was in Ohio.

During the summer, besides attending school, I was required to work at home. My work was largely "doing chores", such as finding the cow in the woods and driving her to the barn-yard, feeding the chickens, bringing wood into the house, working in the garden, and things of that nature. Besides doing these things I rode the pony when she was hitched to what was called a "shovel plow," used in cultivating corn, the plow being held by my brother Samuel.

In the late summer or early fall of that year, 1847, my father, with the help of my brother and myself, plowed the field I have mentioned as situated in the northwest corner of the farm. To draw the plow, the one yoke of oxen my father owned and the pony were used. My father held the plow, my brother drove the oxen and I rode the pony, the latter being harnessed in front of the oxen with a small chain extending from the whiffletree to the ring in the ox-yoke. The plowing was hard, much of it being a steep hillside, and the ground being full of roots and stones. On this account the pony manifested a great deal of ill temper, not by refusing to draw but by tossing her head viciously, thus straining and hurting my hands and arms. At times she became unmanageable and refused to obey the rein until my father or my brother had caught her by the bit and led her back to the place where she belonged. I do not remember how much time was required to plow the field, but it must have taken ten days or more of very hard work from early morning until late at night. Of course I became dreadfully tired every day, and even now I look back upon that experience as one of the worst of my life as regards cruelly hard work, of which I think I have had my full share. It must be remembered that I was only six years old and small for that age. And this was but the beginning of work of the same nature in which I was engaged for a number of the years following.

In the winter of 1847-8 I attended school during practically the whole of the term of three months. The sessions were held in a new school-

house located on the south side of the Climax road, a short distance east of the residence of Thomas Gray. It was constructed of cobblestones and was probably about twenty to twenty-five feet square on the inside. The interior arrangements were these: The only door was on the north side and there was no entry-way of any kind. At the south side of the room was the teacher's desk. On the east and west sides of the room a board about two feet wide forming a writing-desk for the older pupils extended nearly the whole length of the room and sloped from the wall towards the middle of the room. Under this desk were shelves for school books and in front were immovable benches on which the larger pupils sat, facing the wall when writing and at other times facing the middle of the room. In front of these immovable benches were movable ones for the smaller pupils and there were other movable benches extending east and west nearly across the room, one in front of the teacher's desk the other in front of and at some distance from the door. On either side of the door were shelves for the head-covering and wraps of the pupils, these for the girls on the east side, ~~these~~ these for the boys on the west side of the door. In the center of the room stood a large box stove, by which the room was warmed in winter. The building was badly constructed and was almost wholly without ventilation except where the walls were badly cracked, the interior was not sufficiently or properly furnished, and altogether the schoolhouse was illy adapted to the purpose for which it was built. But it was as good as the majority of country schoolhouses in Michigan at that time.

The teacher in our district that winter was a Mrs. Jeannette Oliver, a sister or half sister (I think the latter) of George W. Steuard. She afterwards married a man named Henning, who was a Captain of a company in the First Regiment of Michigan Mechanics and Engineers in the Civil War.

On the first day of school I took my Fourth Reader to school with me and when that class was called I took my place with the others, but was

promptly sent to my seat by the teacher as being too young to read from that book. It should be explained that the reading and spelling classes stood while reading, and were ranged on the north side of the room with their backs toward the door. I obeyed the order of the teacher with many silent tears, while my brother Samuel informed the teacher that the book I brought was the one I had been reading from; but Mrs. Oliver evidently thought that I had been allowed to use a book which I was not sufficiently proficient in reading to use to advantage, (a not uncommon thing in those days in the case of elder pupils) and persisted in her refusal to allow me to enter that class. But seeing that I was nearly heart-broken over the matter, she tried to console me by saying, "You wouldn't want to stand up with all these great big boys," motioning toward the class, in which were Willard Gray, Isaac Knapp, (brother of William H.) and a number of others of about the same age--fifteen to eighteen years. How it came about I do not remember, but in a day or two I was standing up with the big boys who were in the Fourth Reader class, and was reading as well as any of them, though I was like a pigmy among a lot of giants.

I cannot remember what my studies were that winter, but I think that reading and spelling comprised practically all that were assigned me. I am quite confident that I did not take up geography until after that winter, such a study as mental arithmetic was unknown, no language lessons were given the younger pupils, I was thought to be too young to attempt writing, and only the older pupils (and very few of those) studied grammar.

I can remember how envious I was of the older pupils when I saw those who studied arithmetic using their slates and slate pencils in "cyphering" as it was commonly called, or, as it was sometimes spoken of, "doing their sums." In addition to learning the rules, each pupil was required to solve the problems given in the book under each rule. These were worked out by each pupil on his slate and the method of solution and the result were left on the slate and taken



to the class for the inspection of the teacher at recitation time. And my admiration was equally great for the members of the class in grammar, when, in "parsing" as it was called, they used ~~wer~~ words and phrases which were to me wholly unintelligible and which for that reason I concluded must mean something very profound.

But my duties in these days, and for many years thereafter, were not restricted to attending school and learning the lessons that were given me. In summer I was requited to work at home in the morning and after returning from school in the afternoon. This work was principally in the garden, but it also included other tasks, such as finding and driving home the cattle at night. In those days cattle, sheep and swine were allowed to run at large, and as the highways, where they ran through the woods, were unfenced, the animals were liable to wander many miles in any one of several directions. As one animal in each herd of cattle usually wore a bell the location of the herd could generally--but not always--be discovered when within hearing of the bell. Many times I searched for our cattle far and wide, through the forests, until long after dark and was then obliged to return home without them, to be reprimanded for my want of success and to renew the search in the morning as soon as it was light. Besides bringing the cattle home at night, I had to look after a flock of domestic fowls, carry in firewood and do other light tasks about the house or farm. In winter my work was chiefly preparing firewood and bringing it into the house.

There was a condition of affairs relating to my attendance at school in the winter of 1847-8 that made that attendance exceeding uncomfortable for me. In the autumn of 1847 one Truman Nichols had been engaged to teach the school in our district, but failed to pass an examination by the school inspectors, although the requirements as to scholarship were very few and the examination had been far from rigid. But in some way Nichols had secured the friendship and support of the inhabitants of the southwestern part of the district and of a majority of the

voters in the district, and it was proposed to have Nichols teach the school without regard to his qualifications. This my father vigorously opposed on the ground that no part of the primary school fund could be used to pay the salary of a teacher who did not hold a certificate from the school inspectors. The matter caused a great commotion throughout the district and was finally submitted to the State Superintendent of Public Instruction, who promptly decided against the scheme to employ Nichols, and that put an end to it. But the children of the partisans of Nichols evidently thought the my sister, my brother and I were the ones on whom to visit the offense our father had committed, and they subjected us to all manner of abuse and annoyance. One of those who were most active in so doing was Edward Spaulding, a boy about sixteen or seventeen years of age, who made me miserable by every form of ill-treatment his ingenuity could devise. I could have escaped his persecutions to some extent by complaining to the teacher, but this I was too timid to do. Spaulding afterwards did good service as a volunteer in the Union army during the Civil War, afterwards joined the regular army and, I think, rose to the rank of Captain or Major. As late as some time in the seventies or eighties I could have met him but did not care to do so. Long before that time I had ceased to feel any resentment toward him on account of his ruffainly treatment of me, but somehow I did not feel that interest in him that I should have felt in the case of any other man who had attended school with me when I was a young boy.

I will refrain from giving an extended account of the events of the few years of my life next following, as there is little in my memory concerning them that is worthy of record. In the summer of 1848 I attended school, the teacher being a Miss Alma Durkee. I remember little concerning her except that she was a pleasant-appearing girl, rather refined in her manner and a good teacher. I have an impression that she was nearly related to a family of that name residing

in the school district adjoining ours on the south-west and who were reputed to be rather rough characters on the masculine side at least.

Years afterwards I defended one of the family when prosecuted for a criminal offense and secured his acquittal by a shrewd cross-examination of the complaining witness who claimed to have seen the offense committed.

In the winter of 1848-9 I attended school. The name of the teacher was Amy Bailey. Who her people were and where they lived I have forgotten if I ever knew. I can remember nothing distinctly in regard to her except that she showed a great deal of fondness for the society of the young men who were her pupils, and for that of one young man in particular.

That winter I took up the study of geography in addition to reading and spelling. My textbook was--if I remember aright--Mitchell's Primary Geography, the descriptive parts and the maps being in one volume. The only member of the class besides myself was a boy about three years my senior. He found it difficult to learn the lessons required by the teacher, while I could easily have learned lessons of twice the length of those prescribed for my classmate and myself. This fact hindered me greatly in my work and the parents and older sister of the other boy begged of the teacher and of me that I go on with the study without regard to the other member of the class, so that he could have shorter lessons and I would not be required to study and recite the second time lessons which I had recited correctly at the close of the first day's study. But to this the teacher would not consent, and in consequence I was compelled to take the whole of the term to finish a textbook which I could have wholly committed to memory in less than half of that time had I been permitted to do so.

I did not attend school in the summer of 1849 nor in any summer during the years following, with the single exception that will be hereafter stated. I was then eight years of age and strong enough to do such work on the farm as would be helpful to my father, and in those days

boys were not allowed to attend school if there was any work which they could do on the farm. My duties were as various as the different kinds of work to be done. In the spring I helped spread, with a large fork, the piles of stable manure that had been hauled from the barnyard to the fields, and to pick up and place in small piles the stones scattered over the surface of the meadows or pasture land. I had also to ride the pony in front of the oxen for plowing land for corn, potatoes or oats, ride the pony when drawing what was called a "marker" for tracing the rows in which corn was to be planted, drop the kernels of corn or pieces of potato for my father and older brother to cover with their hoes, ride the pony when drawing a shovel plow or cultivator for the purpose of uprooting the weeds and stirring the soil between the rows of corn as soon as it was fairly above the ground, help my father and brother hoe the corn after the plow or cultivator had gone through it. This process of plowing or "cultivating" the corn and afterwards hoeing it was repeated once and sometimes twice during the spring and summer.

In haying time the work given me was to spread the grass with a fork after the mowers so that it would dry more quickly, and after it had dried help rake it into winrows and then rake up the loose bits of hay left on the ground when the hay in the winrows had been piled in masses called "hay-cocks." While the hay was being drawn to be stacked it was my place to rake up the bits of hay left on the ground after the haycocks had been pitched upon the wagon. My father generally pitched the hay upon the wagon, my brother arranged or "loaded" it as it was called. Then my brother pitched the hay from the wagon, my father stacked it and I was placed upon the stack to tread the hay down so that it would be more compact.

In harvest time it was the usual course for my father to cradle the grain and for my brother to rake it into sheaves and (when he was old enough) bind them. Before my brother was old enough to do that part of the work, my father bound the sheaves, or "bundles" as they were called. My



part of the work was to carry the sheaves together so that there should be twelve in one place. These my father and brother "set up" in shecks by placing six sheaves on end in two rows, then two on each side, then slightly spreading the other two both above and below the band and covering the other ten with them to keep out the rain.

When the shecks of wheat were drawn from the field and placed in stacks, I followed the wagon with a rake, gathering up the loose stalks at the places where the shecks had stood, so that they could be placed on the wagon and stacked with the sheaves.

While the sheaves were being threshed the grain ran from a spout in the separator into a measure--usually a half-bushel measure--and the task assigned me was to hold the bags into which the grain was poured. I was generally given the same work when wheat was run through a fanning mill to free it from chaff, weed seeds and light grains in order to fit it for the market or for sowing.

I think it was in the late summer of 1849 (but it may have been in the preceding summer of 1848), that I was required to assist my father and brother in the plowing of ten acres of land lying next south of the ten acres in the northwest corner of the farm. This southerly ten acres had been cleared by my father by cutting down and removing the trees and saplings that had been standing and growing upon it. The trees after being cut down were chopped into lengths suitable for rails or firewood. The trunks that were straight and straight-grained and free from knots were chopped into lengths of eleven feet, called "rail-cuts," and these were split into rails of suitable size for fencing, while the rest of the tree was cut into lengths of from eight to twelve feet or thereabouts and hauled to the house there to be chopped into lengths suitable for burning in the fireplace in doors. The saplings were cut down close to the ground and piled and burned with the small limbs of the trees. Some of the tree trunks were cut into lengths of from eight to twelve feet and taken

to a sawmill at Galesburgh and sawed "on shares" the proprietor of the mill keeping half as his share and delivering the other half, sawed according to directions, to my father. This lumber was used, without planing, in the construction of corn-cribs and other like structures, and for general use about the farm.

When the time came for plowing the land my father bought a plow called a "breaking plow," much larger than the kind used in ordinary farm work, and in some way not now remembered obtained two yoke of oxen, making, with his own, three ox teams. These were hitched to the plow, which my father held while my brother drove the leading and middle teams and I the "beam cattle" or team nearest the plow. As the land contained many stones and as the roots of the trees and saplings formed an almost continuous net-work beneath the soil, it will be readily understood that it required all the strength of the three teams of oxen to pull the plow and all the strength my father possessed to hold it. I have no recollection as to the length of time it took to "break" the ten acres, but presume it was from ten days to two weeks. After the land had been plowed it was sown to wheat; but the seed was put into the ground much too early, with the result that the wheat was nearly all destroyed by the Hessian fly, the amount harvested hardly equaling the number of bushels sown. This was a serious disappointment to my father, as wheat and wool were, in those days, the only products of the farm that could be turned into money or exchanged for things necessary for family use.

When the corn was sufficiently matured my brother Samuel and I were set at work "topping" it, as it was called, that is, cutting off the stalks just above the ear, if there was but one, or just above the highest ear if there were two or more. Then the leaves on the lower part of the stalks were stripped off by hand (a process called "blading") and the stalks and leaves (or "blades") thus obtained were bound into bundles, the bundles were set on end together in shocks and left to dry (or "cure" as it was termed) for food for the domestic animals on the farm. After

this provender was "cured" it was hauled to the barnyard for use in the winter.

When the corn was ripe it was husked "on the hill", as it was termed, and thrown into baskets, carried to a wagon and hauled away when the wagon-box had been filled, or was thrown into piles and afterwards picked up, thrown into baskets, loaded into a wagon and hauled away as in the former case. Whichever method was adopted the corn was stored in a corn-crib, made of rough lumber and so constructed as to admit the air freely. I can well remember that about the year 1850 or 1851 I husked corn one day, working entirely alone, and at the close of the day had husked more than fifteen bushels, which was accounted a good day's work for a boy of my years.

After the corn-husking came the digging of the potatoes raised during the summer. In this work I participated as a matter of course. After they were dug the potatoes had to be stored in such a way as to prevent their freezing in the winter, and this was accomplished in the manner following:

Our house had under it nothing in the semblance of a cellar. Most log houses in Michigan at that time had what was called a "Michigan cellar," which was simply a hole about six or eight feet square and six feet deep, without supporting walls of any kind and reached by a flight of steps extending from a trap door in the floor to the bottom of the cellar. In this cellar could generally be found a few vegetables, one or more barrels of salt pork in the brine and pans or other vessels containing milk. But as our house lacked even this rude convenience my father constructed what he called "an out-of-doors cellar" by digging a place in the ground west of the house, about six to eight feet square and about four feet deep, supporting the earth at the sides with split logs framed together like the logs of a house, carrying this framework above the ground about two feet and covering it with split logs and then covering the whole with earth to the depth of about three feet. A passage-way with a flight of steps, on the east side and closed by a door at the bottom formed a

means of access to the interior of this cellar. This structure furnished room for a few bushels of potatoes for winter use and the remainder were heaped on a layer of straw laid on the ground. When the heap had been completed the potatoes were covered thickly with straw and then with earth to a depth of about three feet. In the spring these heaps were opened and the potatoes were usually found to be in fine condition if sufficient earth had been placed over them to keep out the frost. Apples were sometimes treated in the same way and when taken out in the spring had a finer flavor than those kept in a cellar.

The work which I have described as being done on the farm in the spring and summer of 1849 was repeated in most particulars during every summer that I remained on the farm. Nearly every winter my father, either alone or with the help of a hired hand or with the help of my brother (who left school altogether when about sixteen or seventeen years of age), did the main part of clearing about ten acres of land until about seventy acres on the west side of the farm had been improved. Afterwards about twenty acres in the north-east corner were cleared, fenced and cultivated, leaving between ten and twenty acres in the south-west corner and a wide, irregular strip extending from north to south, of the middle portion of the farm, wholly unimproved.

In the spring and early summer a great deal of work had to be done to fit for the plow the ten acres partially cleared during the winter. In this work I usually had a part, mostly that of cutting small saplings and piling them with the small limbs and twigs from the fallen trees, for burning. Some parts of some of the trees were unfit for firewood even, or were not needed for either lumber, rails or wood, and these were cut into lengths that would admit of their being moved and were then drawn by the oxen to a convenient place and there, with or without the help of the oxen, rolled into large piles, called "log-heaps" and burned. Watching these fires to see that they did not run into the woods or fences and thus cause damage, was sometimes a part of my



work. Then when the plowing of new land was in progress, I was required to get up before daylight in the morning, drive the oxen composing the "breaking-team" (as the aggregation was called) to a pasture adjoining a field of wheat and prevent them from trespassing on the wheat while they fed. After my father and brother had attended to the morning chores and had eaten their breakfast, my brother took my place while I ate my breakfast. After that the work of the day began.

I have described the work on our farm thus in detail because, without this description, one could have no more than a very imperfect idea of the work I did or assisted in doing while a boy.

I have said little in regard to my sports at that period of my life, because there is so little to be said. My time, when I was not in attendance on school, had to be given to my work almost wholly and little was left for play. But the picture of this part of my life would be untrue, or at least incomplete, if it failed to show some brighter colors than those which represent only hard, grinding toil. It is true that there were many more days and hours when I had to work than there were when I did not. But there were some days when I did not have any work at all, and sometimes an hour or so of leisure on working days. These days and hours were used by me as they would naturally be by any reasonably healthy, active boy. I was no "sissy-boy" but was fond of vigorous, out-of-doors play. I had no toys--I never owned a toy except the tin whistle I have mentioned--but I cut down saplings with my Barlow knife, trimmed them, pretended they were horses and rode them, using a bit of hickory bark for a bridle, and romped and raced and played at athletic games with my playmates. Then the ponds on our farm were a never failing source of amusement. In them I hunted frogs, ~~bat~~ bathed, swam or waded in summer and used them for sliding places when they were covered with ice in winter. They also furnished the "high seas" on which floated the "men-of-war" constructed by me and named after the frigates which figured prominently in the war of 1812.

Another source of amusement of which I availed myself frequently, especially in summer, was tramping over our farm and lands adjoining and observing the wild beasts and birds with which the woods abounded. Of wild animals there were few varieties, but many of each kind, especially squirrels--gray squirrels, black squirrels, red squirrels, ground squirrels and gophers, Raccoons and woodchucks were also very common. Wild birds of all kinds were almost innumerable and wild fowl of many kinds--ducks principally--at times almost covered the waters of the ponds. Wild turkeys were plentiful in autumn and at the same season wild pigeons could be seen literally by the million. I had no gun of any sort and by exercising caution I was often able to see the wild denizens of the fields, forests, and ponds at close range. I delighted in studying them and learned much of their lives, habits and ways, and this without the aid of a book. Indeed I never in my life studied natural history from books.

At school the games were different from any that I have seen played by school-boys in later years. One of these was called "Pull-away" and was played by establishing two goals several yards apart, at one of which all the players save one took their station. This one player placed himself about halfway between the goals and called, "Pomp, pomp, pull away. Come away or I'll fetch you away." At this signal all the players in the line ran for the other goal. If the lone player could catch one out of the line and by main strength keep him from reaching the goal for which he was running, then the one captured became the ally of his captor and assisted in capturing others, and the play was continued in this manner until all in the original line had been caught. This game was a favorite of the boys but was by no means approved by the parents as it often resulted in injury to the clothing of the players.

Another game frequently played was called "Anti over" and was played with a ball. The players were divided into two parties of as nearly equal numbers as possible, one party being stationed on one side of the school-house and the

other party on the opposite side. One of the players then took the ball and with the warning cry, "Anti over," threw it over the roof. If the ball fell to the ground, those on the side where it fell simply threw it over the building, with the same warning cry. But if one of the players caught the ball before it reached the ground, the one who caught it had the privilege of going to the other side of the school-house and attempting to hit one of the players on that side with the ball. If he succeeded, the one so hit had to transfer his allegiance to those on the other side. The game went on in this way until all the players had been drawn to one side of the building if the time for play permitted this to be done, which was seldom the case.

Of course we played ball, the games being "One old cat," "Two old cat," or base ball, according to the number of the players. The latter game was not played according to modern rules, but was played in this way: Two of the larger boys were selected as leaders and these "chose sides" until all the boys who wanted to play had been chosen on one side or on the other. There was no umpire nor any fixed number of innings. No balls nor strikes nor fouls were called but when the one at bat succeeded in hitting the ball he ran the bases and if he succeeded in this before being put out he called "Tally" on reaching the home base, and the tally keeper scored one for that side. After the game had been played as long as the players desired or as long as the school recess permitted, the tallies were counted, and the side having the greater number of tallies was accounted the victor.

Having thus given, in outline, the conditions under which I lived, studied and worked in the earlier years of my boyhood, I think it may be well, in order to secure something like uniformity in the length of the chapters into which this work will be divided, that I should close this chapter here and continue the subject in the succeeding chapter.

## Chapter V.

## Boyhood Days. (Continued.)

If the subject of this and of the foregoing chapter should be continued so as to embrace all the time of my boyhood, it would require, not two but many chapters and would not be concluded earlier than the close of my service in the army. For I was nothing but a boy during all the time that I lived on a farm, was teaching, reading law, and serving in the army. As was indicated near the beginning of this narrative, my progress in life during my earlier years was exceedingly slow. A bad beginning, ill health and the want of a strong nervous system, may have had much to do with causing this condition; but whatever the cause may have been it is certain that neither in body nor in mind did I grow and develop as ~~as~~ nearly all normal boys do. I was always smaller in size than I ought to have been, looked much younger than I was, and my mental development was even more tardy than my physical growth. When a boy of fifteen I was really younger than many boys at ten; at twenty-one I had the body and mind of a normal boy of fifteen; and at the age of twenty-five I was not so well fitted to assume the responsibilities of manhood as most boys are at eighteen.

While all this is true, it is also true that in one respect I was--almost from my earliest recollection--ready and willing to assume the responsibilities of seniority over my associates, and that was in taking charge of any enterprise in which they and I might be engaged. And this was especially true when I could persuade my boy companions to play at fighting battles with a real or imaginary foe. Sometimes a snow fort was constructed and attacked, and in this game I was careful that the defenders should be greatly outnumbered by the attacking party, which I commanded and led so that the capture of the fort



was a comparatively easy matter. At other times I would divide my companions into two or more parties (which I dignified by the name of "battalions") and lead these parties in turn to the attack on an imaginary foe, the weapons being the same as the one that David used in his famous contest with Goliath, except that in our use of them the pebbles were thrown by the hand instead of being hurled from a sling. I can remember that at another time I spent all my leisure time for several days in constructing a fortification in the woods near our house and mounting short logs, as heavy as I could lift, for cannon, and then, with my older brother for an army, I fought a number of battles with an imaginary enemy that vainly strove to drive us from our position. Still later and when I was probably about thirteen years of age, I succeeded in persuading the same brother to accompany me--somewhat against his will--to the woods on a Fourth of July morning and to listen to an oration delivered by me. It is a curious circumstance that in after years when I prepared and delivered an address on "Washington and the Constitution" I incorporated in it a number of the ideas--as nearly as I could recall them--which I originally employed in my first Fourth of July oration.

The trait which I have just mentioned was always rather prominent in my nature in later years. However unfitted I might think myself for any position or work, however timid or apprehensive I might be, I never, to my recollection, declined or evaded any responsibility which I was requested or expected to assume. It was always my theory that it is for every man to determine for himself whether he will be a leader or a follower; and that any one who determines to be a leader will have some following. And although he may be defeated in his immediate or ultimate purposes, he will be the leader of at least a few others if he wills so to be.

A few years after my father had settled in Michigan, he was chosen township treasurer of the township of Charleston for three consecutive years. The township election was held on the

first Monday in April and my father was elected either in the years 1848, 1849 and 1850, or in 1849, 1850 and 1851, I think the latter instead of the former years. My father was a democrat in politics and was elected on that ticket, the party of that name being then dominant in the political affairs of the township. The first time he was elected my father's opponent on the Whig ticket was Thomas Gray, living in our neighborhood, the second, Enos Lovell, (not the one who was afterwards County Treasurer) living in the southwestern part of the township, and the third time, Henry W. Bush, son of Orra Bush, living on the Territorial road, as I have mentioned. Henry W. Bush afterwards held the office of Register of Deeds of Kalamazoo County and various other offices, and in later years both he and his father were my true and staunch friends.

I do not remember by what majority my father was chosen the first or the second time he was elected; but the third time he was a candidate the democratic candidate for Supervisor--Potter Eldred--was chosen by one majority, Joseph Whitford for township clerk was defeated by M.I. Smith, the Whig candidate, and my father was elected by three votes. I do not remember the fate of the rest of the ticket.

My father's chief duty as township treasurer was to collect the taxes annually assessed against the property holders of the township. And this he had to do by calling on each one whose name appeared on the tax-roll and who lived in the township. If the taxes were not paid at the first visit, it was usual for the treasurer to call the second and third time at least before before distraining the personal property of the delinquent for the amount of the tax. This compelled my father to travel over all the township two or three or more times during the period within which the collection must be made. If the one against whom the tax was assessed neglected or refused to pay it, his personal property was seized and sold at auction to satisfy the amount of the tax levied. If the delinquent had no personal property and the tax

was assessed against his real estate, the tax roll was returned to the County Treasurer and the land was sold by that official for the tax, and a deed was given to the purchaser by the Auditor General of the State. The titles thus acquired to lands in the State--tax titles, they were called--became a prolific source of litigation throughout the State in later years, and in the earlier years of my practice no small part of my income was derived from lawsuits in which the validity of such titles was questioned. I can remember but one case in which I was engaged to defend the title derived from a tax deed, and that case I lost. In a multitude of cases I was employed to defeat the claim of title under a tax deed and in this I was invariably successful, as I was always able to find something in the proceedings on which the title was founded which I succeeded in convincing the court was fatal to the levy of the tax. In one case the claimant held ten tax deeds on a piece of land, but I succeeded in defeating every one of them. My success in that class of cases did much to enhance my reputation as a real estate lawyer and to bring me business from different parts of the State.

The time for the collection of taxes was in winter when there was comparatively little farm work to be done; which was fortunate for my father. I can well remember the home-made vehicle in which he rode about the township on his mission as a tax gatherer. This vehicle was designed for use when snow was on the ground, and was fashioned from two pieces of two-inch plank, about three feet wide and five or six feet long, rounded on the lower side at one end in imitation of sleigh-runners. These uncouth plank runners were joined by cross-pieces fitted into the upper edge, and on these cross-pieces a rough box was fastened and on the box was a seat for the occupant. Rude thills were attached to the front, and the vehicle was hauled by the French pony, Kate.

The taxes were paid in all kinds of current money, generally bank bills or silver, rarely, if

ever, any gold. There was no national currency nor State banks, and the bank notes were issued by private banks in Michigan and adjoining ~~State~~ States. These were not only of different denominations but of differing values--none being at a premium and many subject to a greater or less discount. Counterfeiting these notes was a profitable business, with comparatively little danger of detection. When I was a very young boy I often heard of a man living in the eastern part of Kalamazoo county who was generally understood to be one of a gang of counterfeiters, but he lived to enjoy a serene old age and was never, to my knowledge, even apprehended for his unlawful work.

This condition of monetary affairs made it necessary for one receiving money to exercise great caution in accepting it. My father was a subscriber for a publication known as the "Bank Note Detector," issued monthly or quarterly and giving accurate descriptions of genuine bank notes and coins and of known counterfeits; and stating the discount, if any, on notes of banks of issue. This discount was liable to vary from month to month, which, with the liability of any bank to fail at any time, added not a little to the danger of loss on the note or notes of any bank. But with the aid of the "Bank Note Detector" as a guide, my father managed to protect himself from serious loss on account of taking counterfeit or greatly depreciated currency.

Two or three times during the tax collecting season my father would take the money he had collected to Kalamazoo and turn it over to the County Treasurer. This, of course, was the money he had collected of the taxes for State and County purposes. That part of the tax collected for township purposes he retained and paid it out on orders issued by the proper authority. The County Treasurer at that time was one George Thomas Clark, an Englishman having the peculiarities of the inhabitants of the country from which he came and some of his own besides. As nothing but United States gold and silver coins were legal tender, the township treasurers were



wholly dependent on the will of the county treasurer as to whether he would or would not accept by far the greater part of the money they brought. I have heard my father say that on one or more occasions when he went to turn over the money on hand to the county treasurer, Clark would be in a bad mood and would throw out a large number of bank notes; but after a certain amount of coaxing and cajoling by my father Clark would consent to take all of them either at par or at the regular discount.

When I went to Kalamazoo to live, in 1865, Geo. Thos. Clark was still living in the village. I knew him fairly well but never intimately. He died shortly before I became Judge of Probate and the settlement of his estate was one of the most difficult and perplexing duties I had to perform while I held that office.

Of silver money my father took a great deal in the collection of the taxes. Some of this was of American coinage but much was in foreign coins. I can remember that there were usually many five franc pieces among the coins. I presume that there were also English and German coins, but this I do not distinctly remember. The appearance and value of all common foreign coins were given in the "Bank Note Detector" so that my father ran little risk in receiving them.

In the winter of 1849-50 I attended school, the teacher being a Miss Miranda Davis. Aside from her name I remember absolutely nothing concerning her. Nor have I any distinct recollection as to my studies, but I presume they were the same as those of former winters. I do remember, however, that at some time during the winter I took up the study of grammar in a small way, using Kirkham's Grammar, a book belonging to my sister and brought by her from the State of Ohio. In those days but one text-book in any branch of study was supplied the children in any one family. If two or more children of the same family were using the same text-book they had to get along with but one copy. Money was too scarce and books too expensive to allow any other course.

During the little time that I studied grammar that winter I made some progress in learning the rules governing the construction of sentences in our language, and had I afterwards used the same or a similar authority I should have had no trouble in acquiring a fair knowledge of English grammar. The trouble I afterwards had in that regard will be related hereafter.

It was also during that winter that I began to forge to the front as a speller. I cannot certainly remember whether I was then in the first or second class in spelling, but I do remember that on one occasion toward the close of the term, when all the older pupils participated in a spelling match, I out-spelled all the others and remained on the floor after all the rest had been "spelled down", as it was termed.

After the close of school in the early spring of 1850 or 1851, (I am not sure which, but think it was the former) I had a very severe attack of pneumonia. I was ill for a number of weeks and for several days my life was despaired of, but through the devoted attention of my mother I recovered in time to enter upon the main work of the farm in the spring.

The winter of 1850-1 found me again in school. The teacher was a certain John Alonzo Eldred, a distant relative of Potter, Stephen, and Thomas B. Eldred, well known farmers residing in Climax township. I had never seen J. Alonzo Eldred until he began teaching in our district, but I knew him quite well in later years. He was a fairly good teacher for those days, and was one of a class then quite common--men who worked on a farm during the summer and taught a country school in the winter season. I think that J. Alonzo Eldred during his life taught in a majority of the school districts in Charleston and in some of the adjoining townships. Of Ebenezer G. Flanders the same was true.

Shortly after the school opened in our district for the term of 1850-1, a young man named James M. Spencer, whom I was to know in later years, an agent for some school book publishing house, came into the district and announced that

he would lecture at the school house on a certain evening. The subject of his talk was upon the advisability of having a uniform system of text-books in the public schools. At that time and for several years later, in many districts, the pupils brought to school whatever text-books they chanced to have, and the teacher was expected to accommodate his teaching to the conditions.

Spencer was then a green-looking young man, not well educated but well coached by his employers, so he discoursed on his theme quite glibly for a time and in the end prevailed on the patrons of the school to purchase of him some Davies' Arithmetics, Clark's Grammars and some copy-books -- whose system I cannot remember. My father bought one or more of the arithmetics and one grammar, the latter for the use of my sister Harriet and myself. (None of my brothers ever studied grammar, the three R's being all that it was thought necessary for them to know. While my brother Erastus was a student in the theological school at Nashotah, Wisconsin, he studied Hebrew and Greek, but I have his own word for it that he never studied English grammar in his life.) So my Kirkham was laid aside for Clark, but the change was not a fortunate one for me. For some reason I could not get the faintest idea of the author's meaning. I have often told those for whom this narrative is intended, of being sent by the teacher to the blackboard during a recitation to diagram the sentence, "While they triumph, they expire." This was the way I did it: I made "While" a noun and the subject of the sentence; "They" became a verb and the predicate of the sentence; "Triumph" a noun and the object of the sentence; while "They expire" was treated as a prepositional phrase qualifying "Triumph". It is true that I was only ten years old, but I was old enough to know better than that if I had known anything at all about grammar. I soon became discouraged and abandoned the study of grammar altogether and did not resume it until in the summer of 1852.

I can remember but little in regard to my

studies--aside from grammar--during that winter of 1850-1, but I am sure that I made good progress in all. Of course I was all the time held back by the fact that I had to keep along with a class in every study I had, the length of each lesson being proportioned to the ability of the duller ones in the class, while I could have learned lessons of twice the length of those assigned. And this was the case during nearly or quite all the time I attended school. If at almost any time during that period I had been taken in hand by any one who was competent to advise me and my ambition had been aroused and the way to higher attainments had been pointed out to me, I might have done something in the way of obtaining a liberal education. But I was too young in years and too immature mentally to do this for myself and I had no one to help me in that direction. My parents were anxious that I should have as good an education as the country district school could afford, so that I might be able to teach a school of that grade and earn money, and this was the extent of their ambition for me. And for this they could not well be censured. The condition of grinding, depressing poverty under which they lived seemed to forbid the indulgence of any hope of a good education for their children or for the children of their neighbors, who were all in very similar circumstances. Such a thing as a college education for me was not to be thought of. Colleges were for the sons of men who were rich or who were men in good circumstances and lived in or near the city or town where the college was located. In his youth my father had known of two boys, the sons of a very prosperous farmer, who had actually attended an academy for one or two terms, but he had never known one who went to college. About 1858, 1859 or 1860 a young man named Richard Eldred went to Kalamazoo College from Climax. But his father was accounted a wealthy farmer. And I never heard of any one else of near my age and who lived in our part of the country, who ever entered a college. I have often remarked that at about the time when I was teaching, if I



could have taken a college course of study by living on bread and water and sleeping on straw, I should have made the attempt gladly. But I knew not where or how I could obtain either the bread or the straw. The ways which, ever since the Civil War, have been open to boys by which to work their way through college, did not exist in my time, at least no such way was known to or dreamed of by me.

I have already sufficiently described my farm work, so I shall make no farther or especial mention of the work I did on the farm during the summers intervening between the school terms in winter. During those summers I not only worked on my father's farm but also frequently worked on the farms of several of the neighbors, the plan of "changing work", as it was called, being much in vogue in the country. Under this plan a farmer who could spare a day or more of time would employ that time in working for a neighbor who needed help at that particular time. This work was paid for, not in money but with work. As I was only a boy I had to work two days or more to secure work by a man for my father for one day.

The school in our district was taught during the winter term of 1851-2 by a Miss Orilla Tuttle. I can remember her a little more distinctly than I can some of her predecessors, but my recollection of her is far from being clear. The most that I can recall concerning my studies that winter relates to spelling. I was then in the first class in spelling, and those who were accounted the best spellers in the school were my sister Harriet, Lovicy Steuard and myself. The spelling lesson was recited in this way: The pupils in the class stood on the floor of the school-room in a row, and in the same order in which they stood at the close of the recitation next preceding, except that the one who was at the head of the class at the end of the last ~~rec~~ recitation for the day, took his place at the foot of the class on the following day. The teacher then pronounced the words in the lesson in order, to the members of the class, beginning

at the head. If one spelled a word incorrectly it was passed to the next until some one in the class spelled it correctly and that one took his or her place above all who had spelled the word wrong. At the end of the term a prize was given to the one who was at the head of the class at the close of the day the greater number of times during the term. At each term Lovicy Steuard and I were friendly but active contestants for the prize. She won by the narrow margin of one or two that winter, but in the winter succeeding I won by an equally small plurality; but always thereafter when there was a contest of that sort I was the successful contestant.

It was then the fashion in most country schools throughout the State to have what were called "spelling schools" with more or less frequency, during the winter. These were held at the school-house in the evening, and the teacher presided and gave out the words to be spelled. The greater number of the pupils attended--both attendance and participation in the exercises being wholly optional. Visitors were not only admitted but were invited to take part in the spelling. Two of the older pupils either volunteered or were appointed by the teacher to "choose sides." The two thus selected took their places on opposite sides of the school-room and proceeded, in alternation, to choose the ones who were to participate in the contest, the object aimed at by each side being to "spell down" those on the opposite side. Generally the names of all present were called, but it was usual for visitors, and sometimes some of the pupils, to ask to be excused.

When all had been chosen, both sides stood up, facing each other, and the teacher proceeded to pronounce the words to be spelled, giving them out to each side alternately, beginning at the head of one of the lines. When one missed a word he took his seat and was out of the game. The word missed was passed on to the next in order on the other side and so on, back and forth, until the word was correctly spelled, all who

failed to spell the word correctly taking their seats. These contests sometimes lasted for hours, but usually all the spellers but one were seated within an hour or so after the spelling began. The one who stood up after all the others were down was the victor, and the side on which he was chosen won the contest. If two or more of the latest ones on the floor went down on the same word, the result was called a drawn game.

Webster's Elementary Spelling Book was invariably used, and in our locality no words could be given out except those within the covers of that book. A word might be taken from either the spelling or the reading exercises, tables, abbreviations or explanations contained in the work, but it must be somewhere in the book. A speller had the right to ask the definition of any word to avoid being tripped by one of two or more words having the same sound but spelled differently. The teacher was not required to give out the words in any order, and it was not uncommon for the teacher, after giving out a number of words of seven or eight syllables, to immediately propound a monosyllable, like "lees," or a dissyllable.

But it was frequently the case that two or more schools competed in these contests, the object of each school being to spell down the contestants belonging to the other school or ~~sch~~ schools. On such occasions the spellers belonging in the district where the contest was held took one side of the room and the visiting contestants took the other, and the words were given out by the teacher of the home school.

I never studied especially for these contests. All my knowledge of spelling I acquired in my regular school work. But after I was eleven years old I was able to spell any and every word in the spelling-book, provided it was pronounced correctly. So that it became a matter of course for my name to be called the first of any in every contest in which our school participated. And it so happened that in all the contests that

I can recall, the success of our school depended on my ability to hold the floor. This ought not to have been so, as my sister Harriet and Lovicy Steuard were nearly, and perhaps quite, as good spellers as I, but in every contest in which our school was defeated (there were only two) I went down early in the game and they both became "rattled" on that account. I shall refer to these instances later on.

I cannot begin to remember all the affairs of that sort in which our school was engaged in the winter of 1851-2 and during several subsequent winters. But I am very positive that our school was victorious in every one, with the exceptions I will here note. In the winter of 1851-2 a number from our school attended a spelling match at the school-house in the district south-west of ours--the "Toad hollow" district, it was called, though why I never knew. To show how child-like I was at that time I will relate an incident that occurred early in the evening. When we arrived at the school-house a drill in spelling (something that our school never practiced) was in progress, the teacher selecting difficult words and drilling his pupils in them in preparation for the contest that evening. Of course we were not invited nor expected to take any part in it, so we went in and quietly took our seats to wait for the time when the choosing of the contestants would begin. In the course of the drill the teacher gave the word "myrmidon" to one of his pupils. The one to whom the word was given spelled it incorrectly and as I happened to be sitting in the next place in the line, I at once spelled the word correctly, to the great amusement of the assemblage and to my confusion.

The teacher that evening was J. Alonzo Eldred, who knew something of the ability of the pupils in our school as spellers; so, when Lovicy Steuard, my sister and I, and about an equal number of his pupils were still on the floor, he stopped the contest, although the hour was early. When that school visited ours, that same winter, for the re-



turn match, we counted on a victory. But Miss Tuttle, for what reason I never knew, stopped the contest at practically the same point that Mr. Eldred had, greatly to our disappointment. So that on those two occasions our school was neither defeated nor victorious.

But we were defeated that winter in a contest with the school in the district north of ours, the school-house being on a highway leading from the Territorial road to the village of Augusta. In the course of the evening the teacher gave me the word "cypress", mispronouncing it--purposely, I have always believed--as if it were spelled c-i-p-r-e-u-s. I did not recognize the word, although I was sure that I was acquainted with every one in the book. If I had kept my head I should have asked for the definition of the word, but instead of so doing I spelled at an imaginary word and of course missed the real one. The teacher and pupils in that school declined our challenge to a return match that winter, so we could only bide our time, which came during the following winter.

In the winter of 1852-3 our school suffered one defeat in many contests, this time by the district north-west of ours and near Galesburgh, the teacher being M.I. Smith, afterwards a Methodist preacher, and at the time of which I write and ever afterwards a true friend of our family. I have always been satisfied that he had no intention of dealing with me unfairly. When only one of his pupils and I were left on the floor the teacher gave me the word "acetous" but mispronounced it as if it were spelled a-c-e-t-i-o-u-s. Again I failed to recognize the word and again became frustrated and spelled at the word as it was mispronounced and was declared out.

That same winter (1852-3) our school engaged in a contest with the school in the district north of ours, where we had met defeat in the preceding winter. The teacher was not the same, but was one who tried to be at least honest in giving out the words, though using the advantages which were always thought to be permissible by the teacher of the home school, in giving the easy

words to his own pupils and the difficult ones to the visitors. It so chanced that the school taught by M.I. Smith also contested, and the teacher of each of the visiting schools and another teacher who happened in to see the contest, all took part in the spelling; so that when the contest began there were three schools and three teachers (aside from the one who pronounced the words) on the floor as contestants. Our school won the contest as I was the last on the floor, and not only remained until after all the others had failed but stayed until the lateness of the hour put an end to the proceedings. What made my task the more difficult was the fact that our teacher as well as Lovicy Steuard and my sister had gone down early in the conflict, leaving me to contend alone with the best spellers in the two opposing schools and the third teacher also. But I kept my wits, refused to be upset by the admitted work of the pronouncing teacher, kept my mind on the contents of the spelling-book--which I had almost by heart--and won out, as there was no one else in the crowd, though much older than I, who could stand the severity of the test. For many a day after that it was told all through that part of the county how "Little George Buck, only twelve years old, spelled down three schools and three school-teachers." And I do not think that I afterwards while I attended school, ever failed to spell correctly any and every word that was given me to spell.

I have devoted a considerable amount of space to telling of my career as a speller, because I am sure that no success of any sort that I achieved in later years ever gave me greater satisfaction than I felt on account of the victories won in the old-time spelling schools.

In the spring of 1852 a great disaster befell our family, bringing long years of sorrow to every member of the family, blighting the life of the most dearly loved of our number, and making it impossible for us to rise above the burden of poverty and deprivation which had always oppressed us. In April or May of that year, Will-

iam Bradshaw, the husband of my Aunt Elvira, removed with his family from Ohio to Michigan. They came by their own conveyance, much as we had done six years before. There were then three children in the family, Joel, Henry and Ellen. They all came to our house and for a month or more our two rooms were the abode of thirteen people. The conditions under which we lived during that time can hardly be imagined and cannot be described.

On their way from Ohio the Bradshaw family had stayed over night in a house where some children were ill with the measles, and soon after the arrival of the family at our house my aunt and all three of their children were attacked by the same disease. My older sister and brother had had the measles before I was born, but the other four of us in due time came down with the disorder. All who had the disease made a speedy recovery except my brother Dempster and myself. I was ill in bed for more than a month and did not recover sufficiently during the summer to enable me to do any heavy work on the farm. My brother Dempster was ill with the disease for a long time, then took cold and had a relapse, dropsy set in and on the 2nd day of July, inflammation of the brain developed. Contrary to all expectation he lived, but never recovered. In the brief sketch of his life, given in an earlier part of this narrative, I have stated in brief the further sad history of the case. The more direct and immediate outcome was that for years my brother Dempster was a nearly helpless invalid; that practically all my mother's time and labor were devoted to caring for him; that in this way she worked beyond her strength and that this was probably the indirect cause of her death; and that hundreds of dollars, which we could ill afford to spare, were expended in vain attempts to find some cure for the disorder from which my brother suffered. And it is not too much to say that from the time when this calamity first came upon us our household never knew any real happiness during all the succeeding years that we lived together.

It was during the presidential campaign of 1852 that I first began to take an interest in partisan politics. I was an omniverous reader, though I had very few things to read, and eagerly devoured everything contained in the one newspaper which we took from the postoffice once a week. As my father was a democrat and as the paper to which I have referred was an advocate of the principles of that party, I naturally held the same views on political questions that my father did. Before the democratic national convention was held, I felt sure that General Cass would be the nominee of the party. While the convention was in session I was ill in bed with measles. When my father returned from Galesburgh one night, soon after the convention had adjourned, I asked him eagerly the next morning who had been nominated, to which he replied, "Your Uncle Earl." After some bantering he told me that General Pierce had been nominated. I was greatly disappointed, as I was an admirer of General Cass and had never before heard of Pierce. My father could tell me nothing more of the candidate than his last name, and did not know who was the nominee for Vice-President, but a few days afterwards my sister shouted in my ear (as I was too deaf to hear otherwise) the names of the candidates and of the State where each lived. I continued to be interested in the political questions at issue in the campaign and rejoiced greatly when Pierce was elected in November of that year.

As I was in too infirm health to work, I was allowed to attend school during the latter part of the summer term of 1852. The teacher was a Miss Maria Camfield, a member of a family living in the eastern part of Charleston township, and who were not regarded as being among the more thrifty of the inhabitants of that neighborhood. But Maria was an active, industrious, breezy character, a sort of woman's-rights girl, odd but efficient in all that she attempted. She read ~~much~~ much and had advanced ideas in regard to teaching. She was exceedingly kind and self-sacrificing in assisting our family in our trouble,



and my parents liked her on that account. She was an excellent teacher, as teachers rated in those days, though not popular with either her pupils or their parents. She afterwards married and moved somewhere out west. I saw her at a pioneer re-union in Kalamazoo county at some time in the late eighties, if I remember aright, but do not remember her then name or where she lived.

I made rather decided progress in my studies during the little time that I attended school that summer. Among the studies that I took was grammar, and the teacher, by using a little good sense and skill, easily enabled me to get an idea of the science of our language. I omitted to say in an earlier part of this history that Lovicy Steuard attended school in the summer as well as in the winter season, which gave her some advantage over me in our friendly rivalry for school honors.

During the winter term of 1852-3 the school in our district was taught by a Miss Abbie Simmons. My father was the director--the official who was charged with the responsibility of employing the teacher--and first engaged a Miss Mary Waters, of Battle Creek, but she did not succeed and left the school at the end of a week or two. Miss Simmons was a daughter of George Simmons of Galesburgh, a prominent and worthy citizen, who held the office of Justice of the Peace and other local offices, and who was an official member of the Methodist Episcopal church at Galesburgh. He died in the spring of 1857.

Miss Simmons was a good teacher, a strict disciplinarian, well educated (as many of the teachers of country schools in that day were not) and possessing the faculty of imparting instruction. She was accused by some of the older pupils of being partial towards me, and there may have been some ground for the accusation, as she was always very friendly to me. But I never presumed on her friendliness and was as careful in my deportment as I could possibly be. It was during this term that I reached the highest grade in

spelling, as I have previously related.

Miss Simmons afterwards married a man named Welch, a lawyer and insurance agent, and lived for a time in Decatur, Michigan, and later removed to Kansas. The last time I saw her was while I was Circuit Judge. She called on me at the Court House in Kalamazoo and sat, with her daughter, who accompanied her, in my room and told her daughter in my presence and hearing, of the days when she was teacher and I was pupil in the old stone school-house, and how I worked on, after those days, and kept on studying and had risen to the high position I then occupied.

The teacher of our school in the winter of 1853-4 was a Miss Betsey E. Coe. She belonged to a large family of that name, residing in the southern part of Comstock township, or in Pavilion township, I do not remember which. The only thing that I clearly remember in regard to my studies that winter, that was at all unusual, was that I made considerable progress in learning to write. Up to that time my penmanship had been simply atrocious. I can remember that a few years before that winter, I began trying to learn to write and was given a number of capital O's as a copy. The result of my efforts to imitate the copy was such that one of my schoolmates, in ridicule, said that I "made goose eggs instead of O's", which was a slander of the goose. But after taking lessons of Miss Coe I succeeded in writing a tolerably good hand. But a few years later, when I went into a law office as a student and copyist, I ruined my penmanship by trying to write rapidly, and have never been a good penman since that time.

I do not know that Miss Coe ever married. The last time I saw her was soon after I had gone to Kalamazoo to live. She was then the proprietor of a dress-making establishment in that village. Shortly afterwards I lost sight of her and do not know where she went.

I think that it was during the summer of 1854 that I became greatly interested in and an eager reader of Scott's poems. My taste in that direction was formed in this way: In those days

the sessions of a country school were held on six days of every week except on each alternate Saturday. On the Saturday of every second week, when the school was in session, the afternoon was not usually occupied with study and the reciting of lessons, but was devoted to such exercises as "spelling down" and what was known as "speaking pieces," that is, the committing to memory and reciting of selections of prose or poetry, and sometimes dialogues. This was not compulsory. Those of the pupils who wished to do so, committed their selections to memory and notified the teacher, who made a list of those who were to speak and called on each one in turn.

During the winter term next following my seventh birthday, I committed to memory a little piece of three or four stanzas, of which I can now recall only the first, which was as follows:

Who showed the little ant the way  
Her little hole to bore,  
And spend the pleasant summer day  
In laying up her store.

But when the time for the recitations was near at hand I was too timid to inform the teacher that I had a piece to speak, this timidity arising, in part, perhaps, from the fact that I was very much younger than any of those who were accustomed to take part in the Saturday afternoon exercises. So I gave up the idea of speaking.

But it chanced that while the recitations were in progress, a boy sitting next to me asked me, in a whisper, (why I never could imagine) if I had a piece to speak. In reply I simply made an affirmative inclination of my head. But the teacher happened to observe what passed between the other boy and myself and at once said to me, "George, if you have a piece you may go out on the floor and speak it." I was overwhelmed with confusion, but, instead of asking to be excused, as I might have done, I put on as bold a face as I could, went to my place on the floor and recited my selection, feeling all the time like sinking through the floor with stage fright. And this is, perhaps, as appropriate a place as any for saying that from that time to this day I have

never spoken in public at any time, in any place, on any occasion or under any circumstances, when I did not suffer from stage fright to a greater or less extent--usually to a greater.

Before the next day for recitations arrived, the teacher came to me one day in school and asked me to commit to memory and recite a piece of her selection. I did so and thereafter, as long as I was a pupil in the public schools, it was expected of me that I would speak one or more pieces whenever exercises of that nature were in order. My selections were sometimes of prose, more often of poetry. The speech of Patrick Henry was one of my favorites and I little dreamed then that I should one day stand in the very spot where that immortal address was delivered. Fitz-Greene Halleck's "Marco Bozzaris" was another of my favorites, as were extracts from "Marmion", "The Lady of the Lake" and perhaps from other poems by Scott. These extracts were found in school readers that I used and they gave me a keen desire to read more from the same source. So when I chanced to see a copy of "Scott's Poetical Works" for sale in a store in Galesburgh that kept a few books for sale, I went to work upon the proposition how to get sufficient money to add to my slender savings and thus make up a dollar, the price of the book. Just how I managed to do this I do not recall, but I do remember that I succeeded and that the first dollar I ever owned went to buy the book. And I can still remember, very vividly, the delight I had in reading it. For a few years Scott furnished all the material that I had for general reading. After the lapse of three or four years I began to be able to provide myself with other books and to become interested in the writings of other poets--Moore first and afterwards Byron--but I never lost my liking for Scott.

During the winter of 1854-5 the school in our district was taught by Ebenezer G. Flanders, a farmer and teacher living in our neighborhood, as has been before stated. He was a fairly good teacher, though somewhat eccentric in his ways



both as a man and a teacher. I can recall nothing in respect to my studies that winter which was at all out of the usual routine.

I think that it was in the winter of 1854-5 and the summer of 1855 that my father, in partnership with Revilo Avery, adopted another industry in connection with farming. On Avery's farm -- which was north of the Territorial road and fronting on a highway leading to Augusta -- were considerable deposits of a substance called "marl", formed of the decomposed shells of minute water-snails and shell-fish with which the small lakes and some of the ponds in parts of Michigan at one time abounded. This marl on being burned produced a fair quality of lime. The arrangement between my father and Avery was that Avery should furnish the marl and my father the wood for burning, the labor and team-work to be contributed by each in equal proportions, and the proceeds of sales shared equally. This business was carried on by the two in partnership for a year or two and by my father alone (on the Gunn farm) for a year or two longer.

The mode of operations in this business was, briefly, this: The marl was dug from the earth, mixed with water and trodden by horses, then cut into blocks about a cubic foot or larger in size, and burned in a kiln, constructed of rough stones, for several days and nights. The product was chiefly hauled to Kalamazoo and sold to building contractors in that village.

To some extent I took part in this work and there were many days when I worked almost to exhaustion by carrying the heavy blocks of marl from the bed where they were prepared to the kiln where my father laid the first of them in arches, and after the arches were completed he and I laid other blocks on top of the arches until the kiln had been filled. The industry was a profitable one for my father, as the lime was sold for cash and brought a larger amount of money than he could otherwise have obtained from the wood furnished and the labor performed in carrying on the business.

I think that it was in the summer of 1855 that

ing that he guessed I was "hypo-y", whatever 90  
I formed the purpose of being a lawyer. Why I did this has always been a mystery to me. I had never seen a lawyer, knew absolutely nothing respecting the work of a lawyer, had read almost nothing in regard to lawyers, and the very little that I had read was of the same character as the story of the farmer and the lawyer in Webster's Spelling Book and not calculated to give one a very favorable opinion of the profession. But having formed the intention, I never abandoned it and never afterwards even considered for a moment the question of adopting any other vocation. Not until after I had been in the practice of the law for several years did I think that I possessed the qualifications necessary to enable me to be a good lawyer; but in some way I formed the idea that I ought to pursue that calling, and so I never permitted any presumed want of fitness or ability to deter me from assuming the responsibility of trying to make my way in the profession.

The teacher employed for our district in the winter of 1855-6 was a young man named Edwin P. Kelsey, who lived in the south-western part of Calhoun county, I think. He had a better education than most of the teachers who had preceded him and was a good teacher though pedantic and vain. But I was able to attend school only a part of the time that winter, on account of my health. The result of the physical defect referred to in the second chapter of this work, began to appear that winter more decidedly than ever before and I became, even more than in previous years, the victim of nervous depression and a prey to morbid despondency and apprehension, approaching melancholia. This unfitted me for mental work of any sort, and through a good part of the winter I did practically nothing but sit in the house and brood over my unhappy condition. My parents consulted a physician, but--as was the usual way of members of that profession in those days, and of some physicians in later days--he never even saw me nor made the slightest effort to ascertain what the trouble was or the cause of it, but contented himself with say-

ing that he guessed I was "hypo-y", whatever that may have meant; though I presume that his opinion was about as accurate as the word he used resembled the word "hypochondria."

But toward the close of the term I attended school for a few weeks but cannot remember that I made any progress in any of my studies. My mind was, indeed, too much engrossed with the contemplation of my real and apprehended troubles, to allow me to give the attention to my books that was required in order to do more than barely recite my lessons with something like accuracy. There was one exercise, however, (I cannot call it a study) that I took up, which was wholly new to me, but in which my efforts were the reverse of successful. Up to that time I had never written an original line, aside from two or three letters to one of my schoolmates who had removed to another part of the State. It had been customary for such of the older pupils as desired to do so, to "write compositions" and read them to the school at the Saturday afternoon sessions; but this had never been required and I had never taken part in this exercise, nor attempted or cared to write anything, although my sister almost invariably contributed something in either prose or poetry. But Mr. Kelsey made a rule that all pupils above a certain age should write something original and hand it to him to be read to the school at the Saturday afternoon sessions and criticised by him.

To comply with this requirement cost me no end of thought and worry. I had not one idea regarding any subject nor how to begin. I selected two or three topics, wrote a little concerning each one and then abandoned each of them in turn. Finally, in sheer desperation and at the last moment, I handed my "Composition" to the ~~teacher~~ teacher. Although I am styled a "writer" in "Who's Who", my first literary production was so gross a failure that the country school-master who criticised it was fully justified in subjecting it to all manner of ridicule and condemnation. Fortunately I can remember very little of it except the title, which was "Too Late." As this occurred on the last day of the term devoted

ed to exercises of that sort, I escaped a repetition of that humiliation; and, if my memory is correct, I never again wrote what could be called a "school composition."

I do not know anything definite of Kelsey's life after he taught our school. He made a short visit to the school during the following winter, but I never saw him afterwards, nor can I remember hearing anything about him in later years.

The summer of 1856 brought another presidential campaign in which I was even more interested than I had been in the one of four years before. My brothers, Samuel and Erastus, and I erected a hickory pole in the road in front of our house and from it displayed a streamer containing the initials of the democratic candidates for President and Vice-President, as we lacked the facilities for inscribing the names in full.

Of the candidates for President and Vice-President that year, I never saw but one. During the political campaign of 1884 I sat, one evening, on the balcony of the Russell House in Detroit, from which General Fremont at that time made a political speech. And I was greatly surprised and disappointed in his looks and general appearance. Instead of the slender, fine-visaged young man represented by the many pictures of him which were common in the campaign of 1856, I saw a rather portly, indifferently dressed, elderly gentleman, with a somewhat fleshy face nearly covered with a scraggly beard. His manner, instead of being dignified and deliberate, was hurried and abrupt. He spoke rapidly and without any attempt at oratory, and altogether formed as striking a contrast to Mr. Blaine--who spoke at the same place and on the same evening--as could well be imagined.

During the winter of 1856-7 I attended school.

I was but little, if any, better of my nervous affliction, but I had learned to endure it with more equanimity and not to yield to so great an extent to the rather frequent attacks of profound depression from which I suffered. But I



had reached an age which was an unfortunate one in my case as it is in the case of many if not most boys, an age at which I delighted in being thought "smart" or "cunning" and did many things whereby I made a nuisance of myself. I made fair progress in some, at least, of my studies, but I accomplished very much less than I might, had I been in earnest in my attention to my books.

I cannot remember, with anything like accuracy, what my studies were during the later years of my attendance at school. I remember that I studied physics and something in the way of higher mathematics, but none of my teachers had any knowledge of these subjects, so I had to get along as well as I could without help. And my memory is quite as much at fault as regards my study of ancient languages. Some of my textbooks bear inscriptions of my ownership as early as 1854 and 1855, but I am sure that I studied them very little, if at all, at those early dates and I certainly did not study them in school. I presume that I may have looked into them in a half-hearted and desultory way during the later years of my school attendance and when I was teaching, but I am sure that I did not enter upon the study of Latin or Greek in an earnest and methodical way until about the time when I began the study of the law at Battle Creek.

I never made a careful study of history in the public schools. When I was about nine to eleven years old I used "Hale's History of the United States" as a reading book in school, and much of the knowledge I now have of the early history of this country was obtained in that way. But there were no recitations or questions by the teacher in regard to the facts stated in the book. Of the history of other countries, both ancient and modern, I have read much; indeed history was one of my favorite studies while I was trying to obtain something like a decent education after leaving school; but practically all my knowledge of history was acquired outside the school-room.

Our teacher during the winter term of 1856-7 was one Russel G. Smith. He was then recently

from the State of New York and not well known in our part of the country. He was not a very good teacher, his education, though fair, not being of the best and he was somewhat deficient in the matter of enforcing discipline. He had one peculiar characteristic--that of using in common conversation the most unusual words he could find in the dictionary, and thereby he acquired the sobriquet of "Dictionary Smith." He taught school in winter and worked on a farm in the summer for a number of years; was afterwards clerk in a hardware store at Galesburgh for a time, and for a number of years held the office of Justice of the Peace at Galesburgh. He died after the writing of this history was begun. He was always a devoted friend to me and--though a democrat in politics--always voted for me when I was a candidate for any office.

In the spring of 1857 my sister Harriet was engaged to teach in the school district on the south side of the Kalamazoo River in Comstock township and near the Charleston line. As this was her first venture in teaching, and as she had never been examined by a board of school inspectors, she wished me to accompany her and take the examination with her. The examination in those days was by a board of township officers, consisting of the township clerk and two who were called "school inspectors", elected at the spring election in each township. In this instance the examination was held at Galesburgh and the members of the board were entirely competent to conduct it, two being practicing physicians and all well educated men. There were a number examined besides my sister and myself--six to eight or ten as nearly as I can remember--and the examination was a very thorough one. In addition to her district school education, my sister had had a year in the preparatory course of an educational institution at Albion, which afterwards became Albion College, so she passed without difficulty. During the course of the examination Dr. Flint, one of the board, spoke to me, apart from the others, and asked me if I in-

tended to teach that summer. I told him that I did not. "But you wouldn't object to receiving a certificate if we find you to be worthy and well qualified?" he suggested, and I assured him that I would not. At the close of the examination I was given a certificate with the others.

In May, 1857, I began to write for the public press. The impulse to do so came about in this way: The attacks of nervous depression from which I suffered made me, for a time, unable to sleep at night, and I would either sit up until a very late hour or rise in the middle of the night and remain awake until morning. In order not to disturb the other members of the family I did not burn a light, but sat alone in the darkness. One warm, windy night as I sat thus, listening to the wind in the woods near the house, I fell to thinking of the trees and tried to imagine their history, and almost insensibly my thoughts began to take shape in rhyme. The result was the first article that is preserved in the scrap-book labeled "Writings." After I had written the article it occurred to me that I had seen in the newspapers things that were no better than this; and acting on that thought I sent the lines to the editor of our family paper, a weekly publication called the "Jeffersonian" and printed at Battle Creek. The editor was a young and green-looking stripling named William S. Pease. I had never seen him and hardly thought that my contribution would be accepted, but the next issue of the paper contained my lines, and in a few days I had a letter from the editor complimenting me on my effort and saying, among other things, "Your poem evinces taste as well as talent." I afterwards sent the editor considerable stuff of the same sort, a part of which has been preserved, but the major part has, fortunately, been lost.

As I was reluctant to let any one know that I was writing poetry, I wrote under a fictitious name and carefully concealed from my family everything pertaining to my writing; but it was not long after my first contribution to the columns of the "Jeffersonian" appeared that my mother

accidentally discovered that I was writing for the paper. I think that she and the others of the family were pleased by the discovery, but she and they considerably forbore saying anything to me about it directly, and I think that the fact was not known to any one outside the family. For a number of years afterwards, but very infrequently, I sent fugitive bits of rhyme to different newspapers, all or nearly all of which were published--but none under my own name--but I am glad to say that none of these have been preserved.

In June, 1857, my mother was taken suddenly and fatally ill and died on the 23d day of that month. Her death was the culmination of the calamities that had befallen our family for many years and resulted not only in depriving us of one of the best loved and most valuable members of the family, but, ultimately, in destroying the household and dispersing its members.

The disease of which my mother died was, unquestionably, appendicitis, but as that disease was then unknown it was diagnosed as peritonitis. The funeral was held at the Methodist church at Galesburgh and--as the custom then was--a sermon was preached by Rev. Rezin Sapp, the Methodist minister stationed at that place--the text being Matthew XXIV--44.

In the autumn of 1857 my sister Harriet was ~~eng~~ engaged to teach the school in what was at one time known as the "West district" in Charleston, the school-house standing about a mile east of the junction of the road on which we lived with the Territorial road. This time also she wished me to take the examination with her and I did so. Henry W. Bush was the township clerk and the examination was held at the house where he lived with his father, Orra Bush, the location of which has been already stated. Ebenezer G. Flanders was one of the inspectors and I think that the other was Henry D. Rogers. Both were teachers and both were very conversant with the topics on which the prescribed examination was to be conducted. A half dozen or more applicants for certificates, besides myself, were exam-



ined and the examination was a most thorough one. At the end I was given a certificate with the rest. I had no idea of teaching but took the examination for the reason I have stated. And the examination into my qualifications was conducted by the board in good faith and I was sufficiently versed in the studies pursued in the common schools to know that I passed the examination creditably.

In the winter of 1857-8 I attended school in our district. The name of the teacher was--at least she called herself--Cordelia Spencer. Aside from her name and the facts connected with her teaching, I never knew anything in relation to her. It was rumored in the neighborhood that she had been married and that "Spencer" was her maiden name and not her married name and that she had separated from her husband. This rumor gave rise to no end of gossip, as separations and divorces among married people were then almost unknown. In all my boyhood I never heard or read of a separation or divorce except in two instances--one the case of the teacher referred to, the other the case of Edwin Forrest, the tragedian.

Miss Spencer appeared to have a better education than most of the country teachers of that period, was rather refined in her speech and ways and had a small degree of literary ability. She was a good teacher and her pupils, as a rule, made good progress in their studies under her instruction. I never heard of her after the school closed in the spring. Where she came from, where she went and what became of her will always be one of the unsolved mysteries which I have encountered in the course of my life.

At about the time of which I am now writing a change took place in the character of the evening schools held in country school houses in our part of the country. Instead of spelling schools, "speaking schools" as they were commonly called, or "school exhibitions," as they were termed by others, became the rage and our school at once adopted the fashion. At these meetings the time was devoted to declamation and the

reading of a newspaper, if it could properly be so called. Schools did not unite in these performances, all the exercises being under the direction of the school where they were held, the teacher having no greater share than the pupils. Visitors were admitted, but usually they were for the most part of the older people living in the district, though it frequently occurred that some of the pupils of one school would form part of the audience at an exhibition in another district. Visitors would generally be courteously invited to take part in the exercises, but such invitations were seldom accepted.

Naturally I was one of the chief participants in the evening exhibitions given by our school. I was usually on the program for two or three declamations and was editor-in-chief of the paper published by our school and named "The Gem." Lovicy Steuard was my assistant. All the news in the paper was, of course, school news, contributed by the pupils, and it can be readily understood why only a very small part of that which was offered found its way into the columns of the paper. The rest of the paper was made up of poetry, stories, jokes, and editorial matter. All this was written out in regular newspaper form and read aloud by the editors at some time during the evening, Lovicy Steuard editing and reading that part of the paper contributed by the girls, and I editing and reading the part furnished by the boys. I do not remember that I contributed any poetry to either one of the several numbers of the paper that were issued during the winter, the teacher contributing all the poetry that appeared in the paper of which I have any remembrance. But I wrote a great deal of editorial stuff, though I do not remember what any of it was about except one editorial on "Phonography." I also contributed a thrilling continued story of the Cuban insurrection of 1857--a story having a plot, several characters and any number of hair-raising incidents. The teacher seemed to think that this story had considerable merit. It was never finished, because,

for some reason, the "last" exhibition in our district was never given, and those who survive of the number who heard the story as far as it was written, have presumably been in suspense ever since regarding the fate of the hero of the tale.

On the Saturday preceding the first Monday in April, 1858, I attended a caucus of the democratic electors of the township of Charleston, held at the school-house in our district. At that caucus my father was nominated for township treasurer, and my brother Samuel for constable. As the republicans had been in the majority in the township since the spring election in 1854, these nominations were barren honors. At the close of the caucus it was suggested that tickets be printed for the coming election, and I was selected to go to Battle Creek and have this done. My brother drove me to the railroad station at Galesburgh and left me there to take a late afternoon train, with many injunctions as to the need of care, and with assurances as to the safety of the trip, as up to that time I had never rode on a railway train and--though not alarmed at the prospect--I was a trifle apprehensive of the dangers of that method of travel and somewhat anxious lest the speed of the train (which ran at the rate of about thirty miles an hour) should unnerve me.

I reached Battle Creek early in the evening and went at once to the office of the "Jeffersonian" and left the copy of the tickets for the printer. The only press in the office was one of a kind in common use at that day; a hand press worked by a lever and capable of making perhaps one hundred impressions an hour. Two boys were in the office at the time, one of them being perhaps five or six years my senior and the other about two or three years older than I. They proceeded to set the type and run off the copies, one feeding while the other worked the lever. The work was supposed to be finished and the tickets were delivered to me and paid for at a late hour in the evening, but when I reached a

hotel and counted the tickets I found them nearly one hundred short of the number I had ordered and paid for. I at once returned to the office and luckily found the boys still in and the type not distributed, so the job was finally completed at about midnight.

The younger of the boys who did the work was Timothy Fish, afterwards a private, non-commissioned officer and lieutenant in the Second Michigan Infantry. I knew him well in the army and cared for him while he was ill during our trip down the Mississippi from Cairo to Vicksburg in 1863, and after that he seemed to be much attached to me. He died of illness at about the time the war closed.

I do not remember whether I went to bed at all during the night I was in Battle Creek getting the tickets printed, or whether I sat up in the hotel or railroad station. I do remember that I took a train very early the next morning (Sunday) got off at Augusta, walked to Revilo Avery's house (where I think I ate breakfast) and from there walked home, thus ending my first adventure in riding on a railroad train. Of course the candidates on the ticket I had printed were defeated in the election on Monday.

In July, 1858, my father married again. His second wife was Marinda Thomas, widow of William Thomas, who had been a prominent citizen of Battle Creek. Her maiden name was Whitford and she was a sister of Mrs. Simmons, the mother of Abbie Simmons. She was a good woman, though peculiar in some of her ways, but my father's marriage to her was ill-advised and the result far from being fortunate. Her methods and ways were unlike those of our family, and from the time when she entered our household as a member until the family was separated and dispersed, there was continual friction and sometimes ill-feeling between her and my father's children. She and my father lived together in a fairly harmonious way until her death, which took place several years before the death of my father.

In September, 1858, my sister Harriet again be-



came a student in the educational institution at Albion, then called the "Albion Collegiate Institute" if I remember aright. I think that she remained until the close of the institutional year in June following, but of this I am not certain.

In the autumn of 1858 I concluded to teach during the following winter if a school could be obtained. I do not remember making an application in more than one district, that being a district in Pavilion township, near the south-west corner of Charlestown. The name of the director was Peter Jenkins, a substantial farmer citizen of Pavilion. He had no authority to engage me without the consent of the other district officers--the moderator and director--and so took my application under consideration until he could confer with them. But pending his decision, William Bradshaw, the husband of my Aunt Elvira, who was living in LeRoy township, Calhoun county, sent word to me that he wanted me to take the school in his district, he being the director. Accordingly I went to see him and engaged to teach the school, for four months, I think. Subsequently Mr. Jenkins sent me word that I could have the school in his district, but I had to decline the offer on account of having promised to teach elsewhere. This choice--if I can so term it--proved to be a most unfortunate one for me.

The school district of which my Uncle William was director was a fractional one, part of the territory being in Battle Creek township and part in LeRoy. As the school-house was in Battle Creek township I had to obtain my certificate of the school inspectors of that township. And as Battle Creek village was then a part of the township the board met in that village. There were about ten or twelve candidates to be examined, and as the township clerk declined to take any part in the examination and as one of the inspectors was a physician and absent on professional business, the entire examination was conducted by one inspector, a farmer and teacher named Charles L. Blakesley, living in the country

a few miles from the village.

It soon became evident that Blakesley was a bundle of conceit, one of a class of men who are not over-blessed with intelligence or education but who wish to impress on others the idea that they are the personification of wisdom and learning. The discovery that Blakesley was of that type did not, however, disturb me as I felt confident that I could pass any proper examination. And when the examination closed I knew that I had answered correctly every question that came to me and I naturally expected to receive a certificate. But when the certificates were given out two or three others as well as myself received none, Blakesley explaining that this action did not mean that those to whom certificates were not given would not ultimately receive them, but that the number examined was so large and the time so limited that he wished to examine some of the class farther, and directed us to return one week from that day. I was annoyed by the delay but still did not for a moment apprehend that there would be any question as to my being given a certificate at the next examination.

On the day set for my second examination my father accompanied me and sat in the room all the time that the examination was going on, which did not have a tendency to give me confidence. The examination was not so lengthy nor so thorough as the first one--indeed it seemed to me to be wholly perfunctory. At the close I had answered every question correctly. To one question in oral arithmetic--involving the division of one complex fraction by another--I at first gave an incorrect answer, but at once, and without a hint from any one, I recalled the answer and gave the correct one.

But in spite of the fact that I had passed both his examinations most creditably, Blakesley refused to give me a certificate. On my father suggesting to him that I appeared to have answered all the questions correctly, Blakesley replied, "Yes, he did, but he hesitated before giving

some of his answers." This was true of the question referred to in the preceding paragraph and one or two others which could not have been answered without hesitation by any one except a prodigy in mathematics. Blakesley then volunteered the statement that in grammar I had used Clark's method of analysis and Clark's text-book wasn't "fit to be in any school-house." It was true that I had used Clark's method as it was the only one with which I was conversant, but my analyses were entirely correct according to that method, and no school inspector who had any regard for his duty ever dreamed of dictating to any teacher what text-books he should study or should use in his school-room.

The real reason why I was not given a certificate was very apparent. Blakesley, in order to exhibit his superior learning and judgment, was determined to reject one of the candidates and thought me the most appropriate victim to be offered on the altar of his baseless vanity. Had either of the other inspectors taken a part in either examination, he would never have attempted so bare-faced an injustice; but as it was he had the whole matter in his own hands. I think that he thought me younger than I was and that I had misrepresented my age to him, as I looked and appeared like a boy of about fourteen, was diffident and timid and he well knew that I would put up with an imposition which others might resent. Then I did not live in his county and he knew nothing of me in any way beyond what my appearance indicated. And it was very evident that I did not belong to a wealthy or influential family. I was dressed in the best clothes I had; but they were of cheap, coarse material. "A poor boy from the country" was writ large all over me.

The inspector who took no part in the examination was Dr. Simeon S. French of Battle Creek. I saw him for the first time in my life when he came into the room for a few minutes during the examination. He was the chief surgeon of our regiment during all the time it was in the ser-

vice and I knew him well in that capacity. My acquaintance with him became more intimate after the war closed, and when he died, at the age of more than ninety years, he and I had been devoted friends for more than thirty years.

Being thus denied the privilege of teaching during the winter of 1858-9 I knew of no better way of employing my time than in attending school. The teacher was Ebenezer G. Flanders. As I have before stated, I was then taking studies not usually pursued in country district schools so that my time was not wholly wasted. I do not remember that there were any spelling schools or "speaking schools" in our district during that winter. The term lasted only three months and on the closing day of the school there were some "exercises" in which I took part by reciting nearly the whole of the last canto of "Marmion" describing the battle of Flodden Field. After that day I was never regularly enrolled as a pupil in a school of any kind.

and in private conversation, called attention to the fact that the laws by which we are governed are the product, chiefly, not of legislative enactments but of the decisions of the courts, brought about, necessarily, by the learning and ability of lawyers. I can do no more than refer to this fact here, as a digression on that subject would be out of place in this history. But the fact is one which every well-informed lawyer recognizes.

And I use the term "student" advisedly. For no one can be truly a lawyer, unless he is continually studying the law. The science is so nearly infinite in its extent that a complete knowledge of it is practically unattainable, each wider outlook revealing unexplored regions beyond. This is true of legal principles which a lawyer must ever have in view, and the same might almost be said of the practice of the law. For one hazards nothing in saying that in all the history of jurisprudence there have never been two cases which were precisely alike in all their details, so that each case a lawyer has



## Chapter VI.

## Youth.

The spring of the year 1859 brought to me a radical change in my way of living and marked the beginning of what was to be my life work. Up to that time I had been a farmer-boy, having been born on a farm and never having been engaged in any occupation except farm work. But thenceforth I was to be a student of what I have always regarded as the most important of all sciences--the science of human government. For man is and must be governed by law. And in the present condition of mankind it is impossible to conceive of anything more necessary to the well-being and progress of the race than the wise and just enactment and administration of the civil law, "commanding what is right and prohibiting what is wrong." And this is the mission of the true lawyer. I have many times, in public addresses and in private conversation, called attention to the fact that the laws by which we are governed are the product, chiefly, not of legislative enactments but of the decisions of the courts, brought about, necessarily, by the learning and ability of lawyers. I can do no more than refer to this fact here, as a disquisition on that subject would be out of place in this history. But the fact is one which every well-informed lawyer recognizes.

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furnishes abundant material for study, and the true lawyer is one who never gives over the study of legal principles and who makes a careful study of each case in which he is concerned. And there was never a time after I first opened a volume of Blackstone's Commentaries for the purpose of studying it, until I retired from the bench, when I was not a diligent student of the law.

In referring to my change of occupation in the spring of 1859, I do not mean to be understood that I did not afterwards return to farm life. As will be seen farther along in this record, my study of the law was twice interrupted for considerable periods, and had it not been for my unwavering determination to be a lawyer I should probably have followed the example of many whom I have known, who read law for a time and then abandoned all efforts to enter the profession.

In the spring of 1859, James M. Spencer, who has been before mentioned, was practicing law in the village of Dowagiac, Michigan. He had married Emma Jane Whitford, a sister of my father's second wife, and through correspondence my father learned that Spencer would give me a place in his office. There seemed to be no objection by any one to this proposition and I was delighted with the prospect of having a chance to begin the study of the law. Since the time when I first decided to become a lawyer, I had steadily adhered to that determination although my knowledge of the duties of the profession had not greatly increased and I had had but three opportunities to see what the trial of a suit at law in any court was like. The first came in the summer or autumn of 1857. Some neighbors of ours, Col. Richard Covell and his sons, Albert L. and Marvin J., who lived a little way north of our house and on the east side of the highway, and who owned and operated a threshing machine, brought suit before Orra Bush, a justice of the peace, against Alonzo Sherman, another neighbor, to recover pay for threshing grain and also damages on a claimed contract to thresh additional grain. How I was able to do it I cannot remember, but in

some way I succeeded in leaving my work long enough to hear a part of the proceedings at the trial. The case was tried without a jury and the parties had as counsel two justices of the peace, Sylvester W. Mills, of Galesburgh being for the plaintiffs and Isaac Pierce, of Climax, for the defendant.

While the trial was in progress I observed a well-dressed, intelligent-looking young man sitting in the room but taking no part in the case. Immediately after the conclusion of the trial I heard the young man say to the justice--Orra Bush--that he was there for the purpose of taking the deposition of a witness in some case. A few days afterwards I learned that the young man was Charles S. May, then a young lawyer living at Kalamazoo, of whom more will be said later on.

The Covells were afterwards clients of my partner--Charles S. May--and myself in an important case which we tried in the circuit court and which I afterwards argued in the supreme court of Michigan. The verdict in the circuit court was in favor of our clients and the judgment of the circuit court was affirmed by the supreme court. The Covells were democrats, but Col. Covell had a son, George W. Covell, older than Albert and Marvin, who lived in his father's family in 1858 and was a pronounced republican. He was well educated and we became quite good friends, although he was considerably older than I. We had many earnest and prolonged political discussions, he standing for the principles of the republican party, I for the contentions of the democratic party. George W. Covell went to Missouri in 1859 and engaged in teaching. When the Civil War broke out he enlisted in the Confederate service, rose to the rank of Captain and was wounded and captured in the assault on the Union lines at Franklin, Tennessee. I saw him only twice after the close of the war. He became a prominent attorney in Lincoln, Nebraska and afterwards in Omaha. Whether he is still living I do not know.

The second case to which I have referred was

tried in the early fall of 1857 before Sylvester W. Mills, a justice of the peace of Galesburgh. My father was the plaintiff in the case and Horace Holcomb, who lived near the Averys, north of the Territorial road, was the defendant. The suit was brought to recover the value of a small amount of lumber taken by the defendant from my father's farm, under a claim of title. Orra Bush managed the case for my father and Job H. Aldrich, a clerk in a hardware store in Galesburgh, was counsel for the defendant. I was a witness in the case which was decided in my father's favor.

The third case that I saw tried in part in a court of law was tried before a jury in justice's court in the summer of 1858 before William A. Blake, a justice of the peace at Galesburgh. It was a criminal case, the accused being a boy who was convicted of stealing some article of trifling value. I had been sent with a grist of wheat to be ground into flour at the mill in Galesburgh and while waiting for the grinding to be done I went into the office of the justice and listened to as much of the trial as the time at my disposal allowed.

The prosecution was represented by Job H. Aldrich, before mentioned, and the defendant by Benjamin F. Travis, a young lawyer who had just established himself at Galesburgh. Aldrich entered the Union service as a quartermaster and was killed. Travis also enlisted in the Twenty-fifth Michigan Infantry and served until the close of the war, when he returned to Kalamazoo county and became a farmer and for a time served as a justice of the peace. I remember trying one or more cases before him while he was holding the office I have mentioned. He died a few years ago.

It was on the 7th day of April, 1859, that I set out for Dowagiac. My father drove me to Galesburgh in the afternoon of that day and I took a train for Dowagiac late in the evening. The train was a slow one (indeed there were no fast ones on the road) stopping at every station on the way, and I remember the conductor calling



"Paw Paw" which was then the name of the station where the village of Lawton now stands. I arrived at Dowagiac not far from midnight but did not go to bed at all that night, but sat up in the station until morning.

In the morning I found Mr. Spencer and was taken to his house and introduced to his family, which consisted--besides himself--of his wife and one boarder, Miss Fannie E. Mack, a music teacher. I was assigned a small but comfortable room and went to the railroad station and carried my trunk to the house in my hands, which I could do easily enough as it was a very small trunk and far from being heavy. I had no suit of outer clothing aside from the one I was wearing, so that my trunk contained practically nothing except some articles of underwear and a few shirts and toilet conveniences. I had no nightshirts--indeed I never had any until after I left the army.

Looking back to that morning of April 8, 1859, it seems as if it must have been twenty years instead of only six years and a day between that day and the day of Lee's surrender, so much more rapidly has time seemed to me to fly since the close of the Civil War than it did before that time.

I soon learned what the arrangement was which my father had made with Mr. Spencer in my behalf. As I had no money with which to support myself, and as my father was not able to provide me with funds for that purpose, I was to work for my board and have the privilege of reading law in the office. This was an excellent arrangement for me and would have been if I had been able to pay for my meals and the use of a room. The work was not hard and as the greater part of it had to be done out of doors and took no more time than I ought to have given to active exercise, it was a positive benefit to me to have it to do. Mr. Spencer had a barn on his lot in Dowagiac, but kept no horse or cow, so I had no animals to care for except a large, young dog. My chief labor consisted in sawing and splitting wood for the kitchen fire. I had also to water

some young trees and occasionally do some other trifling jobs about the house.

At the office I was expected to sweep and dust the rooms every morning, build and keep the fire in cool weather, copy all legal papers that required copying and run of errands for the firm. The firm name was Clarke and Spencer, the senior member of the firm being Joseph B. Clarke. Clarke had recently come from somewhere in the State of New York. He was a brother of Sara J. Clarke, afterwards Mrs. Lippincott, who wrote over the pen name "Grace Greenwood." She was quite noted as a writer in her day. Joseph B. Clarke seemed to have had a fairly successful career at the bar, having been at one time one of the Vice-Chancellors of the State of New York. He was far from being a brilliant lawyer but was a diligent, pains-taking one. He was much addicted to doing business in the ancient ways and was never so much in his element as when he was employed in some case that admitted of unlimited procrastination. At some time in the early seventies I chanced to be in the Van Buren county circuit court room, waiting to take up some matter before the court, while Spafford Tryon and Joseph B. Clarke were arguing a motion by Clarke to open the proofs and take further testimony in a chancery case in which Clarke was solicitor for the complainant. It appeared that Clarke had kept the case in court for a great many years in spite of Tryon's efforts to close the proofs and bring the case on for argument. Clarke presented his motion and made an argument for it and Tryon replied with an able and most convincing argument against the granting of the motion. In the midst of his appeal, a lawyer named John C. Spencer, (a brother of James M.) who was sitting within the bar, turned to another attorney and said in a whisper, but loud enough to be plainly heard by me, "That fellow may talk as long, as earnestly and as ably as he may, the court is going to grant the motion. J.B. Clarke never yet brought a chancery case to an end and he never will." Spencer's prediction as to the result of the motion proved to be correct.

Joseph B. Clarke died not far from the time when I went upon the bench of the Circuit Court, if I remember correctly. James M. Spencer died a few years ago somewhere in the State of Kansas where he had lived for a number of years. Mrs. Spencer is also dead.

Soon after I became an inmate of the Spencer household I proceeded to fall desperately in love with Miss Mack. This was not a new experience with me, by any means, as for several years before that time I had been in the habit of falling in love with every one of my young lady teachers and with other girls from five to ten years older than myself, and in one or two instances with girls of about my own age. In none of these cases did I ever reveal the state of my feelings "but let concealment," &c. It does not need to be stated that each one of these attacks was of short duration and my recovery complete. I met Fannie Mack shortly after I went to Kalamazoo to live and saw her occasionally during several years. She afterwards married a man named Strong, a widower much older than herself. Whether she is still living, and, if living, where she lives, I do not know.

Within a day or two after my arrival in Dowagiac I entered upon the study of the law. As was the custom in those days--and a good custom it was then--I was directed to begin by reading Blackstone's Commentaries. This was expected by me, for not very long before going to Dowagiac I read, somewhere, of a lawyer who required his students to read Blackstone at least a year before taking up any other law-book. The reasons for this course seemed to me to be so cogent that I resolved to follow it. And I may say here that whatever success I may have achieved in my profession has been due, largely if not wholly, to my carrying out this resolution, in the spirit if not in the letter. A thorough knowledge of the fundamental principles of the law always enabled me to have an intelligent comprehension of the legal points involved in a case in which I was interested and to present my views with clearness and force. And I do not think that there

was ever a time after I was called to the bar when I could accuse myself or was accused by other lawyers of having only an undefined, nebulous apprehension of a legal principle or its application. And it has been at just this point that I have known so many attorneys to fail at times. They would have a dim perception of some legal truth, but but saw it as it were "through a glass darkly" because they were not sufficiently in command of a knowledge of the underlying principles of the law to make their views clear to themselves or to the court. And it has happened to me more than once in my practice, that when taken by surprise by some point presented by opposing counsel in the midst of a trial, I was enabled to extricate myself from seemingly inevitable defeat by my knowledge of Blackstone. During my stay in Dowagiac I read the first book of Blackstone entire and by course fourteen times and the second book sixteen times.

My observation of events that occurred in the office of Clarke & Spencer while I was there would not have had a tendency to give me an exalted opinion of the practice of the law had it not been for the countervailing influence of Blackstone on my youthful mind. Both Mr. Clarke and Mr. Spencer were good men and were regarded as being honorable lawyers, but they would sometimes, like many other reputable attorneys, indulge in petty trickery such as the more conscientious and high-minded members of the profession never stoop to under any circumstances. But the more I read of Blackstone, the more I was entranced by the view of the law as a science and the more was I confirmed in my determination to make its study and practice the work of my life.

I do not look back to that summer of 1859 with any feeling of pleasure or even satisfaction. Indeed I can even now, and after the lapse of more than half a century, feel my cheek burn at the remembrance of some things that I did in that summer--things that were not morally culpable but which revealed to the people with whom I was associated some imperfections in my nature and which showed how wholly unsophisticated I was as



regards the ways of the world. No boy of my age could have been better situated than I was and both Mr. and Mrs. Spencer were kindness itself. The work I had to do in return for my board was trifling in amount and very easy as compared with the labor I had been performing ever since I was six years of age. But in some way a lazy streak developed in me at about that time and I at times shirked some parts of the work I had to do. Then I had no proper sense of responsibility for myself or for the use of my time, and while I did not neglect my law reading or my duties in the office I spent much time in idle loafing that would have been invaluable to me if I had known how to use it. I attribute this, in part at least, to the fact that I was much younger than my years, but after making due allowance for that fact I find much to condemn in myself and in my conduct at that time. I have often thought that the boy whom Dickens described in David Copperfield had his counterpart in me as I was in Dowagiac; but the boy portrayed by Dickens was a young boy and I was old enough to have done better with myself than I did.

For some reason, perhaps because of my nervous condition, I was always abnormally hungry. I ate at the table enough to satisfy the appetite of even a growing boy, but for very shame I dared not eat enough to satiate my hunger. I fought against the craving for food as well as I could, but would at times yield to it and spend a little of my meager allowance of pocket-money for cheap baker's stuff of some kind to eat. Mrs. Spencer once discovered me seated in a bake-shop eagerly devouring the half of a pie. She never said anything to me about it--what she thought I can readily imagine.

I went with the young people of the village very little. Mrs. Spencer very kindly secured for me invitations to one or two parties of young people, but I felt out of place among them and must have been the object of no little amount of ridicule by those whom I met, because of my uncouth and countrified ways. I had never associated with young people in a social way to any

considerable extent and those whom I had met were not especially refined in their manners, so that I had had no social advantages nor any social training.

Among the older people of the village I had very few acquaintances, and if I attracted the attention of people in any way it was not to my advantage. I think that I was regarded by those who observed me as a green and unpromising country boy who ought to be at work on a farm instead of being in town engaged in an impossible attempt to make a lawyer of himself. More than thirty years after that summer of 1859 I was invited to go to Dowagiac on two or three important occasions to deliver addresses which seemed to be highly appreciated by those who heard them. At those times there were many who spoke of my efforts in terms of rather extravagant praise, and among those people were a few who said that they remembered the fact of my being in Dowagiac for a few months many years before; but I think that there were none who ventured to say that at the time they mentioned they thought that I would ever amount to anything. Of course their appreciation was exceedingly gratifying under the circumstances although the majority of those who, possibly, knew me in 1859 were dead or had gone elsewhere to reside.

During a part of the summer Miss Mack was at her home in Kalamazoo and Miss Ellen E. Thomas, one of my father's step-daughters, was in the house as the guest of her aunt, Mrs. Spencer. I do not remember whether I had ever met her before that time or not, but I think not, as at the time of her mother's marriage to my father and for some time after that event Ellen was teaching near Yazoo City, Mississippi. She was a very bright girl, well educated and amiable, and we were generally fairly good friends even when the relations between her mother's family and that of my father were far from being pleasant. There was a time some years afterwards when she and I were unfriendly, but this was wholly my fault. About the year 1867 or 1868 it was represented to

me that she had said some things about me that were rather provoking and I foolishly wrote her an upbraiding letter which she and her friends justly resented. But after a few years all this was overlooked if not altogether forgotten. In 1861 or 1862 Miss Thomas was married to Fred D. Clarke, a son of Joseph B. Clarke and a lieutenant in the Sixth Michigan Infantry. He was instantly killed in the assault on Port Hudson in 1863. She was afterwards married to Freeman J. Atwell, a lawyer of Dowagiac. He died at some time between 1895 and 1900 as nearly as I can now remember. At the time of this writing Mrs. Atwell is still living.

On the 17th of September, 1859, I left Dowagiac and went home. When I did this it was with the intention of returning to Dowagiac as the Spencers expected me to do, although I now have an impression that there was in my mind some doubt whether I should go back to Dowagiac and continue the study of law or should wait until I had earned sufficient money to defray the cost of my legal education. As I have hinted, I was not at that time altogether steadfast in my adherence to my plans, aside from my main purpose to be a lawyer. And I had a habit in those days, and for some years afterwards, of failing to do things that I really wished to do, though why I pursued this course is as much a mystery to me now as it could be to any one else. And what motive impelled me to abandon for a time the study of the law at that particular time I cannot now remember. Whatever it may have been it resulted in my writing Mr. Spencer a few days after my arrival at home that I should not return for a time at least.

The immediate occasion of my coming home was to attend the wedding of my brother Samuel, who was married on the 28th of September, 1859, to Lucy Reasoner. The Reasoner family came from the western part of the State of New York at some time in the early fifties and bought the farm which had been owned by a man named Rowley and was situated on a highway running north from the

Territorial road about two miles east of the junction of the road on which we lived and near the line between Charleston and Battle Creek. The members of the Reasoner family were James Reasoner and wife (his second) and his children, Daniel, Ann Eliza, Ezra, Lucy, Fletcher, Mary and Henry. Of these Daniel, Ann Eliza and Fletcher are now living. Lucy died in the year 1890. Fletcher Reasoner and I became fast friends about the time of the marriage of his sister to my brother and we have always remained so. He enlisted in the Union army at about the same time that I did, he entering the Twenty-first Michigan Infantry and I the Twentieth. He served until the end of the war and made an honorable record.

At about the time when my brother was married he made an agreement with my father by the terms of which my brother was to have the use of the farm for a term of years, rendering to my father a share of the products of the farm. It was a part of the arrangement that all of my father's children, or as many of them as so desired, could have a home at the farm at any and all times when they wished to avail themselves of the privilege. And not only because of the right thus conferred, but also because my brother and his wife wished me to do so, I remained with them on the farm during the greater part of the autumn of that year, working with and for my brother. My brother Dempster and I were the only ones of my father's family who did this, the others being engaged elsewhere.

At about the time of my return from Dowagiac my father, with his wife and Mary Thomas, removed to the city of Battle Creek where they continued to reside until at some time during the Civil War, when they removed to Dowagiac where my father engaged in the grocery business with a partner.

In October, 1859, I applied for the position of teacher of a district school in district number five of the township of Climax, and was immediately engaged by the officers of the district,



Nehemiah Elwell, director, James D. Pierce, moderator and Loren Pierce, assessor. By the terms of the contract I was to teach for three months for sixteen dollars per month. The wages paid teachers in the country at that time ranged from sixteen dollars to twenty dollars per month, depending on the age and experience of the teacher. As I was young and inexperienced I could not well expect to receive more than the minimum wages. The schoolhouse was octagonal in shape and was located on a highway running east and west and a little north, if I remember correctly, of the center of the township. By the highway it was not far from eight miles from my home in Charleston to the schoolhouse, although it was only about six miles in a straight line from one place to the other.

The examination was held at the house of William Richards, the township clerk, and was conducted principally, if not wholly, by Jacob Van Middlesworth. I do not remember the name of the other inspector and think he was not present during the examination. There were only five or six to be examined and the examination was somewhat severe and quite lengthy, the latter feature being occasioned by frequent discussions between the inspector and one of the candidates in regard to matters of religious belief and other things having no relation to the qualifications of the candidates or any of them. I had no difficulty in passing the examination and obtaining a certificate, although I was no better qualified than I was one year before. And that it may not be thought that I overrated my qualifications at the time of the examination in 1858, I will say that every one who knew me, among whom were many who were competent to judge, concerning my qualifications, was outspoken in his denunciations of Blakesley and of his actions in denying me a certificate.

I began teaching on the fourteenth day of November, 1859. The pupils who were enrolled during the winter were Homer Elwell, Warren Elwell, Maria Elwell, Louisa Elwell, Isaac Elwell, Mary Ann

Elwell, Alonzo Elwell, James M. Pierce, Myron Pierce, Caroline Pierce, Emily Pierce, Lottie Simmons (colored), Walter Pierce, Avadna Pierce, Levi Taylor, Wellington Clark, August Lemcool, Peter Lemcool, Anna Lemcool, Thomas Lemcool, Lyman E. Keyes, Irene Keyes, Wilbur Keyes, Esco Powers, Ellen Powers, Cornelia Anderson, Adella Stewart, Irene Pearce, Lucy Pearce, Sayda Pearce, Henry Pearce and Jennings Pearce.

Homer Elwell, the one first named, was a son of the director, Nehemiah Elwell. He was about my own age and was very studious and well advanced in his studies. In mathematics he was studying algebra, although that study was one not usually found in the curriculum of a country district school. Alonzo Elwell, Homer's cousin, was about five years of age and did not know any of the letters of the alphabet when he began attending school that winter. These facts give an insight into the range of the subjects I had to teach. August Lemcool was about twenty-two years old and read with the class using Parker's Rhetorical Reader, although it was difficult for him to read words of more than one syllable.

None of my pupils that winter attained to any great eminence in after years, although several of them became useful and respected citizens. And it has always been a source of no little satisfaction to me to know that every one of my pupils whose friendship was worth having was very friendly to me as long as I had any knowledge of them. Homer Elwell was a member of the Twenty-fifth Michigan Infantry in the Civil War and was afterwards Supervisor of Climax township for a number of years and later held the office of Register of Deeds of Kalamazoo county for four or more years. At all times after the relation between us of pupil and teacher began he was my firm friend. He died in February, 1913. Cornelia Anderson was a waif, brought west when a child from some low quarter of New York city. She was incorrigible as a pupil and later went to the bad, becoming one of the most dissolute and depraved creatures ever known in Kalamazoo county and was commonly known as "Total Depravi-

ty."

While practicing at the bar, and about the year 1876, one of the most important cases, in some respects, that I was engaged in was that of Potter Eldred Cole vs. Caroline Pierce Cole for divorce. Arthur Brown, one of the ablest lawyers at the Kalamazoo bar, was for the complainant while I represented the defendant. The charge was adultery and was testified to by two reputable witnesses who had the reputation of being entirely veracious. The case seemed to be a desperate one for the defence, but the apparent hopelessness of the situation caused me to put up the stronger fight and to execute some of the coups for which I was noted as a lawyer. I took very little affirmative testimony for our side, the greater part of what I did take being the testimony of some of the most highly respected and best known people in the neighborhood of the parties, by whom I showed that before the accusation made in the case the defendant had borne a good reputation among her neighbors. This was designed to create the impression that popular sympathy was with my client, which was far from being the case. Then by a skillful and searching cross examination of the principal witnesses for the husband I succeeded in entangling them in some seeming contradictions and inconsistencies in their testimony and compelled them to admit that they had been employed by the husband to procure the testimony they had given. Then I assailed the husband and succeeded in bringing out some facts which I claimed tended to show that he was anxious to get rid of his wife and was unscrupulous as to the means by which that result might be accomplished; and that if the claimed offense was committed it was by his procurement or at least his connivance, which would be fatal to his case. When the case came on for argument I arrayed all these facts in the strongest way of which I was capable and also enlarged upon the inherent improbability of the story told by the principal witnesses for the husband and pictured my client as the victim of a conspiracy against her home and her honor. The

court decided the case in favor of my client, which I always thought was a just decision. For while the case admitted of no little doubt, I believed that doubts of that nature should be solved in favor of the person accused. The popular opinion among those who knew the parties was strongly against my client; but this only contributed to the glory of the success achieved and added to my reputation as a lawyer. About two years after the decision of this case I obtained a divorce for Caroline Pierce Cole against her husband for cruelty and desertion, and as the husband had considerable property my client fared very well in the result of the litigation.

I think it was after the case I have mentioned that I procured a divorce for Sayda Pearce from her husband and for Jennings Pearce from his wife. And there were a number of other cases which came to me on account of the friendly feeling towards me of people with whom I became acquainted while teaching that country school in the winter of 1859-60.

My career as a teacher, while not wholly a failure, was not successful in any extraordinary degree. I am not even now able to understand in just what the defect in my teaching consisted, but I have a strong impression that I was not by any means all that I should have been as a teacher. I had sufficient knowledge of the subjects I taught and was not deficient in ability to explain clearly any matter or question that might arise during a recitation, but I lacked initiative and did not introduce any new methods or advance any considerable number of new ideas in regard to the subjects I was endeavoring to teach, but was content to plod along in very much the same old way to which I had always been accustomed as a pupil.

Then the discipline I maintained, though not weak, was far from being good. It required the training I afterwards had in the army to develop in me the ability to so direct others who might be under my control that they would follow my directions or suggestions unhesitatingly and willingly. I had no real trouble with any of my



pupils directly but the order maintained in the school-room was not the best, and I learned afterwards that some of the patrons of the school criticised me as being "too good-natured." This criticism was hardly justified by the fact that, like all teachers of primary schools at that period, I used the rod freely and unsparingly. No other way of enforcing discipline was known at that time, and the teacher almost invariably had a rod in his hand all the time when school was in session and if a pupil whispered to another without permission or committed any other infraction of the rules of the school, his attention was called to his offense by a blow with the rod by the teacher. So common and almost daily were occurrences of this sort that the more unruly pupils considered a correction of this kind as a harmless joke.

In general the pupils were as obedient, orderly and tractable as could be expected or desired. There were two exceptions, Peter Lemcool and Cornelia Anderson. Both were wholly incorrigible and gave me so much trouble that at one time I noted in my diary that the school was "the worst school I ~~had~~ ever known," which may have been true in some respects, but the condemnation implied was not deserved by the great majority of the pupils. But what made the task of teaching much harder than it would otherwise have been was the fact that the work always seemed to have a bad effect on my nerves so that I was a victim of profound melancholy all the time that I followed that vocation.

While teaching I followed the invariable custom in those days and "boarded 'round." The plan was a simple one. The number of days the school was expected to continue was divided by the number of pupils enrolled and the quotient showed the number of days the teacher was to board with a family on account of each pupil from that family. As I was to teach seventy-eight days, and had thirty-two pupils, I boarded about two and one half days with each family patronizing the school for each pupil from that family. For example, as there were five pupils

from the family of Parvis Pearce, I boarded with that family about thirteen days.

Each alternate Saturday and nearly every Sunday I spent at the home of my brother and his wife on my father's farm. It was my practice on closing the school at the end of the week to walk from the school house to my brother's--a distance of about eight miles--and on Monday morning to rise at about five o'clock and walk to the school house. As the weather was sometimes very cold (the temperature on one occasion of this sort being about twenty degrees below zero) it required pretty lively stepping on my part to keep from freezing. In after years one of the substantial farmers of Climax township used frequently to refer to the fact that on every Monday morning during that winter of 1859-60, he would some time before daylight hear my footsteps as they went pattering along the road in front of his house.

During that winter I had to build the fire at the school house in the morning at least an hour before it was time for the session to begin, and it was my habit to devote as much of this time as possible to the study of Latin or to the reading of books on some important subject, like political economy. Of course the time was not sufficient to enable me to make any considerable progress in Latin, but it did help in keeping in keeping in memory what I had learned.

At the beginning of the year 1860 I began keeping a diary and have followed the practice ever since. To these diaries I must refer those for whom this narrative is intended for a detailed account of the every day events of my life, should they be of sufficient interest to warrant a perusal. For a number of years I also kept a journal in which I recorded less of events than of my thoughts, opinions, speculations and emotions. But on reading it, or some parts of it, not many years ago, I found that it contained so much foolishness that I burned it.

My school closed on the 14th day of February, 1860. I went home with my brother immediately and remained there, working for him practically

every week day in order that I might not be a burden to him, although, as I have stated, provision was made for me as well as for my brothers and sisters in the arrangement between my father and my brother for the use of the farm by the latter.

During that winter of 1859-60 my sister Hattie was the teacher in our home district. And I might record of her, as I have of J. Alonzo Eldred and Ebenezer G. Flanders, that before her marriage she taught in practically every school district in Charleston and Climax townships besides teaching in some districts in Comstock township and also, if I remember aright, in some districts in Calhoun county. She was a teacher far above the average, both in education and ability, and never lacked an engagement as a teacher when she desired one. After my school closed I visited my sister's school once or twice, and on one occasion I attended an evening spelling school in our district where she was teaching. Two schools participated. I belonged to neither, but accepted an invitation to spell with the others and was the last upon the floor.

And this reference to my spelling reminds me of the fact that in writing I habitually misspelled one of the most common words in our language. The word "stayed" I invariably spelled s-t-a-i-d until after I had been on the bench for a number of years, when my attention was called to the error by my daughter Winifred. I console myself for this stupidity by recalling the fact that Abraham Lincoln, although he practiced law for many years, always spelled "maintenance" (a very common word in legal proceedings) m-a-i-n-t-a-i-n-a-n-c-e, until some time after he became President of the United States, when he was informed of his error.

About the middle of the month of March, 1860, I agreed with my brother Samuel to work for him on the farm for a period of six months for twelve dollars per month, that being about the minimum rate of wages for farm hands at that time, the maximum rate for first class hands being fifteen or sixteen dollars per month, the

workman in all cases being entitled to his board, the use of a room and to have his laundry work done free of charge. The amount of wages I was to receive was according to my own proposition, the state of my health not warranting me, as I thought, in asking more than the minimum rate. When I began work under this arrangement and when the time for which I was employed terminated, I have neither remembrance nor record. My work on the farm when I received wages differed not at all from my work when I received no compensation for it, as I was interested in the farm and in my brother's welfare and was willing and anxious to do what I could to help.

The things I had to do on the farm that summer were very much the same as those I had been doing during several preceding summers, except the summer of 1859. I sawed wood at the door, loaded and unloaded the wagon and drove the team hauling manure from the barn-yard to the fields, and scattered the manure after it was hauled, plowed the fields for crops, driving the horses and holding the plow, drove the team attached to the harrow after the fields were plowed, helped pile and burn log-heaps, helped in the work of hauling hay or straw from the fields to the stables, fed the horses and other animals morning and night, groomed the horses and cleaned the stables in the morning and milked the cows night and morning, sowed land plaster on the fields, plowed the garden and cultivated it, planted corn, potatoes and other spring crops of that nature, trimmed the trees in the orchard, hauled rails and laid fence, drove the horse and held the cultivator for cultivating corn and potatoes, helped in washing and shearing sheep, assisted in repairing the highway, mowed grass and helped in raking, hauling and stacking hay, raked and bound wheat and oats and assisted in shocking, hauling, stacking and threshing the same, helped clean wheat and haul it to market, helped gather, assort and store apples, dug potatoes, husked corn, pulled and shelled beans, and did many other things in the way of repairing buildings, fences, &c., and trifling bits of work about the farm. Besides this



I often helped my brother's wife in doing her house-work, especially on wash days. My brother was away with a threshing machine for a considerable time in the latter part of the summer and early in the autumn and during the whole of that time I did the work on the farm alone.

In the month of June, 1860, a Sundry School was organized in our district and I was chosen to teach a class of small boys. In writing this history I have so far purposely refrained from making any mention of my attendance at church or Sunday School or of my religious experience. For some time after we came to Michigan I had no clothes that were thought to be good enough to admit of my attending either church or Sunday School. My father attended church at Climax quite regularly, but my mother seldom did so, for want of suitable apparel, I presume. I can remember being taken by my father to a Methodist class-meeting which he attended at the church at Climax when I was probably about seven or eight years old. Later, and when I was probably about nine years old I can distinctly remember going with my mother to a morning service at the Congregational church at Galesburgh, she and I riding in a lumber wagon with a neighbor who was a member of that church. Aside from attending an afternoon service at our school-house in Edinburg, Ohio, (which I remember but dimly) this church service at Galesburgh was the first of which I have any recollection, and all the services were a wonder and delight to me, especially the music. I can remember that two of the members of the choir were Roswell Ransom (a brother of the Governor and in later years one of my clients) and Sylvester W. Mills, of whom I have written in this chapter. The only instrumental music was made on a very small melodeon with folding legs which Ephraim T. Mills (a son of Sylvester W. and then a very young man) brought into the church under his arm, carried into the choir-loft and there played the accompaniments. For years thereafter the recollection of the music of that little instrument was a most pleasing

reminiscence, and my most ambitious dreams were of being at some time able to own an instrument of that kind. And I may here remark that music has always given me the keenest delight and in my younger days my enjoyment of it amounted almost to a passion.

After I had grown to manhood I was very well acquainted with Ephraim T. Mills but never told him of the pleasure his playing gave me the first time I saw him.

It was probably when I was about twelve years old that I began to attend church occasionally and rather frequently. As the Methodists had no church building at Galesburgh I sometimes attended the Congregational church at that place and sometimes the preaching service which the Methodists held in the afternoon in the Baptist church at Galesburgh. Soon after this time, however, the Methodists erected a church building at Galesburgh and after that was done I attended preaching service there with more or less regularity and was enrolled as a member of the Sunday School. I was never able to sing well but I tried my best to learn and for a good many years I sang a great deal, especially at home. My brother Samuel was a good bass singer, my sister Harriet had a good mezzo-soprano voice and that left the tenor for me, although my voice was naturally better adapted to singing bass than tenor. After my brother's marriage, as his wife was a good soprano singer and my sister could sing alto well, we formed a quartet and sang a great deal, not only at home but at neighborhood gatherings also and in the Methodist choir at Galesburgh of which my brother was for some time leader.

The Methodist preachers whom I best remember among those who were appointed to the Galesburgh circuit--and afterwards station--were Amos Wakefield, Alfred A. Dunton, Isaac C. Abbott, Salmon Steele and Franklin Gage. Of these I afterwards came to know Dunton, Abbott and Gage very well indeed and Mr. Dunton was for a time one of my clients.

In the winter of 1855-6 a series of meetings was held at the Methodist church at Galesburgh at which several persons made a profession of religious experience, myself among the number. I have always dated my new birth from February 29, 1856. But I was not regarded as of sufficient consequence to be asked to unite with the church so I did not become a member until in the latter part of 1868 or early in 1869, when I joined the First Methodist Episcopal Church of Kalamazoo, Rev. Liston H. Pierce being then the pastor. From that time until the present I have retained my membership in that church.

In 1860 occurred what was unquestionably the most momentous national political campaign and presidential election in the history of this country from the organization of the government up to the time at which I am writing. I was not old enough to vote, but took a very deep interest in the campaign. Being a democrat in my views and prejudices I was not favorably disposed toward the candidacy of Abraham Lincoln and I was even more antagonistic toward Stephen A. Douglas, whom I regarded as a demagogue and time-server. Had I been a voter I should almost certainly have voted for Breckenridge and Lane. The reason which would have influenced me, more than any other, to do so was the fact that Lewis Cass, then Secretary of State in the cabinet of James Buchanan, was understood to favor Breckenridge, and Gen. Cass was always my ideal politician and statesman.

On Saturday, the 8th day of September, 1860, I attended a republican mass meeting at Kalamazoo and heard William H. Seward, Senator Wade of Ohio and others speak in the afternoon and Austin Blair and Zachariah Chandler in the evening. The speech by Mr. Seward was very disappointing to all who heard it. It was very short and as weak and pointless as it was brief. Several years afterwards I was reliably informed that Mr. Seward's failure to make a good address was owing to the fact that he had just come from taking a luncheon at the house of David S. Walbridge, then the Representative in Congress from the Kalama-

zoo district, and that Mr. Seward had partaken of strong wine to an extent that deprived him of the ability to make a speech.

The speech of Senator Benjamin F. Wade of Ohio (then commonly referred to as "Ben Wade") was neither able nor honest. The greater part of his speech was devoted to an assault on the political record of Stephen A. Douglas and was a tissue of misrepresentations and of statements of facts in Douglas' political history so stated as to convey to one not well-informed an impression or belief the reverse of the truth. No one would have enjoyed a well-grounded denunciation of Douglas more than I, but the unnecessarily dishonest attack by Wade filled me with disgust. And in 1868 when the impeachment proceedings in the case of President Johnson failed I derived no little consolation from the fact that Ben Wade would never be President of the United States.

Charles Francis Adams spoke at the Kalamazoo meeting, but as speaking was going on from different stands at the same time, I failed to see or hear him. In the evening I saw and heard Zachariah Chandler and Austin Blair for the first time in my life. I never afterwards became acquainted with Chandler and can remember meeting him only once; but from 1865 until his death I was well acquainted with Mr. Blair and esteemed him very highly.

In writing of the events of 1858 I forgot to mention the fact that on an afternoon in the fall of that year I attended a democratic meeting at Galesburgh and heard a speech by Senator Stuart of Kalamazoo. I have spoken of this occurrence many times since then and related how I walked to Galesburgh to hear the speech, and with what awe I looked upon a real United States Senator. In after years I met Mr. Stuart frequently at the bar, and in process of time became intimately acquainted with him, lived for about three years almost directly across the street from his residence and saw him almost every Sunday afternoon. I always had a high opinion of him as a lawyer and as a man, and have no reason



to think that his professions of having a high regard for me were otherwise than sincere.

At the Galesburgh meeting, <sup>the</sup> one who was the most enthusiastic and demonstrative of those who were present was Wyllis Ransom (son of Governor Ransom) who was in after years one of my staunch republican and Grand Army friends.

On the 16th day of October, 1860, I attended a democratic mass meeting at Kalamazoo which was addressed by Stephen A. Douglas. I was quite unwell during the day, and although I saw Douglas as he was riding through the streets in a carriage, I was too ill to hear him speak.

I do not certainly remember whether I made any applications for a place as teacher in the autumn of 1860, but I have an impression that I did. If so they were unsuccessful and my recollection is that I was contemplating taking up the study of the law again, when, a short time before the election, I met the director of our school district, William H. Knapp, who offered me the position of teacher of the school which I had attended nearly all my life up to that time. At first I was in doubt whether to attempt the work of teaching my former schoolmates and I took a little time to consider the proposition, but in the end I accepted it. By the terms of the contract I was to begin teaching on the twelfth day of November and teach for the term of four months at eighteen dollars per month.

As the regular examination of teachers had taken place in our township before I engaged the school, I had to have a special examination. I do not remember who one of the inspectors was but think that it was Ebenezer G. Flanders. The other inspector was Henry D. Rogers and the township clerk was Henry W. Bush. On the eighth day of November, 1860, I went to the house of Mr. Bush and he accompanied me to the residence of Mr. Rogers, which was between Galesburgh and Augusta and on what was known as the Battle Creek road. Mr. Rogers knew me well as I had been at one time a member of his class in Sunday School for a year or so. He had a much better education than most of those who, like himself, com-

bined farming with school teaching, and had, withal, a fine mind and was refined and scholarly in all his ways. The examination he gave me that afternoon was of great length and was more severe than any I had ever before taken, partly because Mr. Rogers was the sole examiner and partly because I was the only candidate and had to answer every question propounded. But Mr. Rogers seemed to be more than satisfied with the result, the only criticism he made as to any part of my answers being that my knowledge of mathematics was so very thorough that in some of my explanations I made them in a way better adapted to the comprehension of a student in a college than of a pupil in a primary school.

I began teaching in the old stone school house in district number five in Charleston township on the twelfth day of November, 1860. In some unaccountable way I seem to have failed to preserve a list of the pupils who attended school in that district that winter. The number was small, only twenty-three being enrolled during the term, fourteen boys and nine girls. With perhaps one or two exceptions, all the pupils were boys and girls, young men and young women, with whom I had been a pupil in former years, several of them having been my classmates. This fact did not make the teaching harder for me but it did make the work of maintaining good order in the school-room much more difficult. But as my pupils were, almost without exception, of good disposition and very tractable, the work of governing them was not at all difficult.

As was the case during the preceding winter, I "boarded 'round" but as it was with those who were my friends and with whose houses I was familiar, this was no hardship to me.

On the first day of December, 1860, I received a copy of Blackstone's Commentaries which I had ordered some time before with the intention of reading the work during leisure hours. How well I carried out this intention I have little remembrance now, but entries in my diary show that I did this to some extent.

On the fifth day of December, 1860, my father sold the farm which had been my home for more than fourteen years. He received only twenty dollars per acre for the farm although within three years from that time it would have sold readily for from forty to fifty dollars per acre. But few then apprehended the Civil War and fewer still foresaw the great change which it produced in the value of property, especially farm property, in the North. My brother Samuel had gone from the farm before it was sold by my father, and before the close of 1860 those of our family who had remained together were separated, Samuel having gone upon a small farm in Charleston, my sister Mary taking up her abode with the family of Isaac S. Smith, Erastus going to live at Mr. Bush's and Dempster, who during the winter up to this time had been one of my pupils, going to Battle Creek to live in my father's family. This final breaking up of our family circle and family associations had a very saddening effect upon my mind and tended greatly, I think, to bring about the failure of my general health which soon followed.

Near the end of December, 1860, the condition of my health began to give me anxiety. I was not ill but at no time felt well in body and my mental state was worse than my physical condition. I became morbidly gloomy and apprehensive, and the work and responsibility of teaching and a fear that I was not succeeding well, continually preyed on my mind. This condition (caused by the state of my nerves) grew steadily worse until early in February, 1861, when I made an agreement with the officers of the school district to change my contract with them so as to permit me to close the school at the end of three months from the time when it began. I think that the patrons of the school were somewhat disappointed on account of this change, but I heard of no objection to it. I never heard of any criticism of my teaching during that winter, and I presume that the patrons of the school were, as a rule, reasonably satisfied with it; but I criticised myself severely for what I thought were defects

in the discipline I maintained in the school-room, though I excused myself somewhat on the ground of my ill health. As nearly as I can now recall the manner in which I performed my duties as teacher, my judgment at this time would be that my work during that winter was an improvement on that which I did during the preceding winter but still left much to be desired, although it was probably not so faulty as I then believed it to be.

My school closed on the ninth day of February, 1861, and on the following Monday I resumed the reading of Blackstone, and from that time until I left the bench at the close of the year 1899, I was at all times a student of the law, except during the time when I was in the military service of the United States.

On the fifteenth day of February, 1861, I went to Battle Creek and began boarding with my father and step-mother, who were keeping a boarding house in that city, my father working in the mill of Joseph M. Ward. The compensation for my board was arranged in this way:

When my grandfather's wife, Sylvia Machan Peirce, gave me the name of her son, she understood that her so doing involved the making of a gift of some sort to my parents for my benefit. As she did not wish to ask her husband, my grandfather, for money for such a purpose, she obtained some flax, spun and wove it and from the money thus obtained she gave my father a dollar with directions to buy with the money a sheep which was to be my property and on my arrival at lawful age a flock of thirty-two sheep was to be turned over to me, on the theory that the number had doubled in every four years. I have somewhere in my possession a memorandum between my father and myself, setting forth these facts and our agreement upon a certain sum of money in lieu of a specific performance of the contract. I think that this money was to be devoted to the payment of my board for a certain specified time. In addition to this I worked for my board my work consisting in the care of one or two cows and sawing firewood. I continued to board



with my father and step-mother for about a year and then went to board with a Mrs. Kingsley, who kept a boarding house on the west side of Jefferson Street, not far from Main Street. I continued to board with her as long as I lived in Battle Creek.

For a time during the months of March and April, 1861, I took lessons in vocal music, with a large number of others, at what was called a "musical convention" conducted by E.M. Foote and Fred H. Pease, of Ypsilanti, Michigan. At divers and sundry times in after years I made sporadic attempts to learn to sing, but never succeeded.

From the time when my school closed until the sixth day of May following, I continued my reading of Blackstone at home. At the date last named I entered the law office of Levant C. Rhines, an attorney practicing law at Battle Creek and at that time the prosecuting attorney of Calhoun county. I had arranged to read law with him several weeks before the date referred to, the delay in entering the office being occasioned by the fact that another young man (Charles H. Hodskin, afterwards a captain in the Second Michigan Infantry and later Deputy State Treasurer of Michigan) then had the place. His going to the war made an opening for me.

Between the time of making the arrangement with Mr. Rhines and the time of entering his office I had a visit from Mr. James M. Spencer, who wished me to return to Dowagiac and resume reading in the office of his farm, but I did not think it advisable to do so.

Levant C. Rhines was, at the time mentioned, a young lawyer of considerable promise and a man almost universally esteemed. He was educated at the institution which was afterwards Albion College and took a full course, although I think that he did not graduate on account of some difficulty which he had with the authorities of the institution. He was a fine scholar, especially in ancient and modern languages, which fact proved to be of great advantage to me. He was a fine looking man, had a very even disposition, was af-

fable and pleasant in his manner and was very kind to all his friends and was especially so to me. In the latter part of 1862 or early in 1863 he raised a company of men for service in the First Michigan Sharpshooters. He went to the seat of war with his regiment in the spring of 1864, was promoted to Major and was killed while in command of his regiment in the charge on the enemy's works at Petersburg, Va., June 17, 1864.

Even before the time of my entering the office of Mr. Rhines I was--as I have indicated--reading law regularly and diligently. At about that time I took up the study of Greek and Latin with regularity, diligence and vigor, devoting my evenings largely to that purpose. Indeed so diligent was I in reading law and studying that my law preceptor several times criticised me for giving so much time to reading and study, saying that I sat in the office and read or studied altogether too many hours each day for my physical good. But he took great interest in my studies and assisted me greatly in getting over the hard places in my study of languages. So much pleased was he with the progress I made, that he once said to me, "George, if you had a decent chance you would be an exceptionally fine linguist." I also studied chemistry, physics, higher mathematics, and other studies of like character. Of course my health suffered at times on account of my being confined so closely to my work. I had very severe attacks of nervous headache and suffered in health in other respects, but I was generally contented and happy, as the life I was leading was such as I had desired for years.

On the first day of June, 1861, I finished the reading of Blackstone for a time, having then read the first book through fifteen times; the second seventeen times; the third eleven times and the fourth eleven times. I afterwards read the work more, but at the date mentioned I considered myself sufficiently versed in Blackstone to lay it aside and take up another treatise.

On the 7th day of June, 1861, the obsequies of Stephen A. Douglas were very generally observed throughout the North by the draping of public

and private buildings, the tolling of bells and the delivery of eulogies of the deceased to assemblies of the people.

On the evening of the first day of July, 1861, I first saw the great comet of that year, one of the most remarkable of which there is any mention in astronomical records, a comet which appeared unheralded and unexpected and blazed out in full splendor before its coming was anticipated or suspected by any one. At its first appearance and for a number of weeks afterwards, while the nucleus was near the horizon the tail extended beyond the zenith, covering nearly a fourth part of the visible heavens.

The arrangement I had with Mr. Rhines was the usual one between lawyers and their students in those days. I had the privileges of the office, the use of the library and such instruction as I was supposed to need (though I had little in any office in which I studied before I was admitted to the bar) and was expected to keep the office clean, copy any papers of which copies were required, serve papers on other attorneys and carry messages. This did not contemplate that I should earn any money, as my time was supposed to belong to my preceptor. But in this, as in other things, Mr. Rhines was very kind and ~~and~~ encouraged me in doing little bits of clerical work that I would sometimes be asked to do--chiefly the copying of legal papers. The Under Sheriff of the county, John Caldwell, (whose daughter my cousin Wilson Buck afterwards married) had his office with that of the Prosecuting Attorney, and often gave me work in copying writs, returns and other papers for him, and other people would sometimes come into the office and ask me to do copying for them. In this way I earned, before the close of the year 1861, a little more than five dollars, a small sum to other people but to me five dollars at that time was a large amount.

On the twenty-third day of September, 1861, I tried my first case in justice's court as counsel for one of the parties to the action. It came about in this way: Mr. Rhines was to be ab-

sent from the city on that day and before leaving asked me to appear for him in a suit before Justice Erastus R. Wattles and take judgment in the case, the summons being returnable at one o'clock on the day named. The action was one of debt on judgment to which there could hardly be a possible defence, but to my surprise the defendant appeared with an attorney, Nelson E. Sherman, pleaded to the merits and demanded a trial of the case. The plaintiff whom I represented was John F. Hinman, one of the leading dry goods dealers in Battle Creek, and the defendant was one Milton Sherman (not a relative of the attorney) living in the country. I offered in evidence the docket of the justice by whom the judgment was rendered (Justice Wattles himself) showing the entry of the judgment in the original suit, and rested our case. The defendant was sworn in his own behalf and testified that the summons in the action on which suit was brought was never properly served on him. This testimony was so palpably false that had the case been tried a few years later I should have riddled the story by a searching cross-examination; but I was then so wholly unused to work of the kind I was then trying to do that I contented myself with asking a few purposeless questions and let it go at that. I made an argument in the case, reading from "Tiffany's Justice's Guide" and the attorney for the defendant also made an argument. Then the justice proceeded to announce his opinion in the case and to give a number of cogent reasons why the defence could not prevail and rendered judgment for the plaintiff. After I had been admitted to the bar I met Mr. Nelson E. Sherman in one or more cases in justice's court and always found him to be an able but very courteous attorney and gentleman. He died when quite young in both years and practice.

In the early part of the month of October, 1861 the Michigan Conference of the Methodist Episcopal Church was in session in Battle Creek and I was much interested in the proceedings and attended a number of the sessions at which I heard sermons and addresses by men who were accounted



among the leading ministers of the denomination in western Michigan. The presiding bishop was Edward R. Ames, one of the great bishops of the church, whose sermon on Sunday October 6, was a model of eloquence and power.

In the evening of the last day of November, 1861, I attended an exhibition given by one Charles Stratton, a noted dwarf known as "Tom Thumb" of whom much is said by P. T. Barnum in his autobiography. I saw Stratton at a railway station in Battle Creek a number of years later and heard him converse and formed the opinion that he was of very light weight mentally.

When the year 1861 closed, the conditions surrounding me were much more pleasant for me than they were when it began. I was comfortably situated, was making good progress in my legal studies, my health had somewhat improved, and I had become sufficiently acquainted in Battle Creek to satisfy my limited social wishes. As I summed up the work of the year, I found that I had spent in teaching, thirty-one days; in reading Blackstone, ninety-six days; Kent, fifty-five days; Greenleaf on Evidence, forty-three days; Chitty on Pleading, thirty-nine days; Edwards on Bills and Notes, eighteen days; Parsons on Contracts, sixteen days. Fifty-two days of the year were Sundays and this left only fifteen days not devoted to some specific occupation, some of the fifteen days having been devoted to work of some kind for my law preceptor. My total expenditures for the year (not reckoning the amount furnished by my father for my board under the arrangement before mentioned) was fifty-seven dollars and sixty-two cents, (\$57.62), of which \$38.41 went for clothing, \$1.75 for books and \$17.43 for incidental expenses.

In 1862, up to the time when I enlisted, I continued to pursue my studies with the same zeal and diligence which I had manifested in the preceding year. Between January 1, and August 8, inclusive, I read of Parsons on Contracts, 3376 pages; Angell on Limitations, 1815 pages; Green's Practice, 3738 pages; Hilliard on Mortgages, 2203 pages; Willard's Equity Jurisprudence, 754 pages;

Story's Equity Pleadings, 935 pages; Barbour's Chancery Practice, 4145 pages; Browne on the Statute of Frauds, 499 pages; Bishop on Criminal Law, 1304 pages; Wharton on American Criminal Law, 1160 pages; Roscoe's Criminal Evidence, 957 pages; Blackstone's Commentaries, (review) 1903 pages; Kent's Commentaries, (review) 2054 pages; Chitty on Pleading, (review) 1428 pages; Greenleaf on Evidence, (review) 2628 pages; Edwards on Bills and Promissory Notes, 750 pages; Rawle on Covenants for Title, 732 pages; in all, 30,376 pages. It should be explained that the works read were not read through once only but were read and re-read many times. And the reading was not a perfunctory process and with the attention one would give to an interesting story, but was with the closest attention, more like the study a pupil gives to a text-book than like reading. And it was not an uncommon thing for me to read from two hundred to three hundred pages per day in this close, attentive manner. And besides my reading I had to do some office work, such as copying papers, computing interest on notes, &c.

But it was not with me a case of "all work and no play." I gave an evening occasionally to diversion or society. I sometimes took an evening off from my study of Latin, Greek, &c., to go fishing with Mr. Rhines, Mr. Woolnough, (the editor of the leading Battle Creek paper) and others. (My acquaintance with Mr. Woolnough led to my becoming the regular correspondent of his paper during the Civil War and to my receiving, in my later life, many a commendatory notice in his paper.) And as the year 1862 progressed I naturally became better acquainted with the young people of the city. I had a particular chum, one Daniel P. Simmons, a school teacher. Our friendship continued until his death not many years ago. I paid little attention to girls individually, had no inamorata and bestowed no special attentions on any one, but was on jolly good terms with a number of those whom I met--Mattie Frink, (daughter of a wealthy farmer and banker of Battle Creek) Clara Gregory, Mattie Adams, Lina Pittee, Josie Davis, and several others. As I

have indicated, I did not go out in the evening very often but devoted my evenings to work to an extent that brought upon me not only the criticism of my preceptor but also the reproofs of some of my friends among the young people. I joined the Independent Order of Good Templars at the solicitation of Nelson E. Sherman, the presiding officer of the Battle Creek Lodge and met many young people there as well as at church where I was a fairly regular attendant.

I should have recorded in the proper connection that besides studying in the evening I gave some time to fiction and poetry, Dickens being my favorite novelist and Scott still my favorite poet.

Early in February, 1862, I was appointed by Governor Blair a Notary Public for the County of Calhoun, and on the 11th day of February, 1862, I filed my bond and took the oath of office and thus, for the first time in my life, took an oath to support the Constitution of the United States and the Constitution of the State of Michigan, and entered upon the performance of the duties of a public office. Of course it was a small matter but it was a beginning. And it was my good fortune to take the same oath a great many times and at rather frequent intervals before I finally retired from public life.

Early in May, at the suggestion of Mr. Rhines, I thought it best to attend a session of the Circuit Court at Marshall, the county seat of Calhoun county. Up to that time it had seemed best that I should remain at home while court was in session in order to keep the office open. But as I was then fully prepared for admission to the bar and was considering the question of applying for admission in the following fall, it appeared to be best that I should visit the court and see what it was like. To reach Marshall in time for the opening of the court in the morning I had to take a train at two o'clock in the morning, and this obliged me to sit up all night. This I did and on the morning of May 7, 1862, I saw a circuit court in session for the first time in my life. The jury trials were ended and nothing was being

heard by the Judge (Hon. B.F. Graves) except motions and noncontested chancery cases, but all the proceedings were of absorbing interest to me, the things which in after years became as common-place as eating my meals being then looked upon by me with awe and reverence. I can remember to this day what the proceedings, for the most part, were in court that morning and who were some of the attorneys who took part in them.

I had the privilege of attending court again not long after the time I have just mentioned. In some way not now remembered it became necessary that I should go to Ann Arbor and place a matter in the hands of Messrs. Twitchell & Blodgett, attorneys of that place, to be attended to in the Circuit Court of Washtenaw county. I went in the afternoon of June 12, 1862, with John Meacham, Esq. a Justice of the Peace of Battle Creek and, I think, the father of Professor Meacham, now of the University of Michigan. That evening we attended a concert by Madam Anna Bishop who, I have been told, was afterwards the original of one of the principal characters in a popular novel. On the following morning I was in the circuit court until the matter concerning which I came had been disposed of and then returned home.

July 4, 1862, while attending a pic-nic with a very agreeable company of young people, I first learned of the disasters that had befallen the Army of the Potomac on the peninsula and of the call of the President for three hundred thousand more volunteers. At once I understood that the happening of these events meant that I must go to the war. Up to that time I had not felt that my services were at all needed by the government as there were many more who wished to enlist than could be accepted, and I had no desire to go. My tastes and ambitions were not at all in the military line and I did not wish to lose any time from the work of fitting myself for a career as a lawyer. But I had the prescience to see that owing to the failure of McClellan's ar-



my to capture Richmond, the war would be greatly prolonged and that the services of every one who could go would be needed, and I resolved to enlist as soon as a favorable opportunity should be presented.

I came to this conclusion with great reluctance. I was thoroughly enamored of the law and anxious to engage in the practice of it. I was in better health than I had been before for several years--although I was slender and pale and had a tendency to tuberculosis, and my early demise in the army was freely predicted by many of my friends. I was becoming well acquainted in Battle Creek and was enjoying life hugely. Mr. Rhines had generously spoken of me in terms of high praise to his associates, who were among the leading business and professional men of the city and I was generally looked upon as a young man of great promise. And I may here observe that the friendship of the greater number of those men for me endured while they lived; that in after years they often took occasion to express to me their satisfaction at my success and to claim that from the time when they first knew me they had predicted great things for me. Their good will was always a source of much satisfaction to me.

On the eighth day of August, 1862, I signed my name to an agreement to enlist, and on the following day I took the oath as a soldier, so that my army service dates from August 9, 1862. But I shall not include the record of that service in this narrative. I make this omission because if I should include only a bare mention of the events of my life in the army, it would include no more than appears in my diary and in the published history of the Twentieth Regiment of Michigan Infantry, and would be very uninteresting reading. Were I to give the events of that time in detail, with my comments on them, they would swell this volume to too great proportions. If by any possibility I should live long enough to complete this work I may consider the question of preparing a history of my life in the army or make a copy of the diary kept by me

during that period.

I will mention only one event that occurred during my army service because it is so closely related to my subsequent history in civil life. Before our regiment left Michigan, and while it was encamped at Jackson, the citizens of Battle Creek purchased a fine sword for the Captain of our company, George C. Barnes, and the presentation was made a great event, crowds of people coming from Battle Creek to witness the ceremony. Although I had never made a speech at Battle Creek or elsewhere, I was selected to make the presentation address, though why this was done I could never imagine. An account of the affair as published is preserved in one of the scrap-books kept by me. My address was not written but was extemporized and written out afterwards by request of Mr. Woolnough, and is a pretty correct version of my remarks. It was the first speech I ever made in public and while delivering it I suffered dreadfully from stage fright which was not diminished on account of the fact that my two sisters were among those who were present. I have always thought it a mighty poor speech for an occasion of that kind, but it was the best that I could do then. Like my other beginnings it was small.

As regards my army service I will take time and space to state--as it is probably the only opportunity I shall have--that, like thousands of young men and boys of that period, I served until the close of the war, doing the duties that came to me, winning neither distinction nor discredit, being simply an ordinary soldier. I have, however, good reasons for believing that I was looked upon by my superior officers and comrades as being both faithful and brave.

For a time after entering the army my health was generally wretched, but in process of time it became much better, and when I was mustered out of the service I was in better health than I had been before in more than ten years.

## Chapter VII.

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Admitted to the Bar.  
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I was formally mustered out of the military service of the United States at Tenallytown (now called Tenleytown), Maryland, on the 30th day of May, 1865, and was finally discharged at Jackson, Michigan, on the 9th day of June following. On the last named day I went with all the others who were left of our company to Battle Creek. I had then fully decided to return at once to the study of the law, but I was wholly undecided as to where I would locate. Battle Creek was my home and I was attached to it by stronger ties than ever because of my having been in communication with my friends there while I was in the army, and the people of the city seemed to regard me with still greater favor than ever before on account of my army service. On these accounts I was strongly impelled to take up my abode again in Battle Creek.

On the other hand my return to the scene of my former associations filled my mind with feelings of depression. My former law preceptor had died gloriously on the battle-field and Battle Creek could never again be the same to me without his presence. Others whom I counted among my friends had gone to the war with me or in other regiments, never to return, and every familiar place in the city reminded me of the loss I had suffered by their death. Other changes had occurred among my former friends, and altogether there were more sad than pleasant memories connected with the place.

A few days after my return home from the war I called on Leonidas D. Dibble, who had been for several years one of the leading lawyers of Battle Creek, for the purpose of counselling with him in regard to the situation and to obtain his advice as to my locating in that city or elsewhere. I stated the situation frankly and he strongly advised me not to remain in Battle Creek but to go to Kalamazoo. He mentioned several law firms and lawyers in Kalamazoo, with any

one of whom, he thought, I could obtain a situation and especially commended to me the firm of Stuart, Edwards & Severens. It did not occur to me at the time that Mr. Dibble's advice might not be wholly disinterested, and that he might be actuated to some extent by a desire to keep me from practicing law in Battle Creek; and as I was much impressed by the idea of reading with Mr. Stuart, I concluded to go to Kalamazoo and see what I could do in regard to obtaining a situation in an office. Accordingly, after devoting about a week to visiting in Battle Creek, I went to Charleston for a brief visit to my friends there, then visited my sister Hattie at Climax for a few days, and on the 21st day of June, 1865, went to Kalamazoo and had an interview with Hon. Charles E. Stuart and on the following day I arranged to enter the office of the firm as a student. On June 26, 1865, I took up my abode in the village of Kalamazoo and resumed the study of the law. At that time I was not acquainted with a single person in Kalamazoo. I had no letters of introduction or recommendations to any one and, wishing a boarding place, I made inquiry of a clerk in a dry goods store and was by him directed to Mrs. Perry's, where I engaged board and a room for five dollars per week, more than twice the sum I had paid in Battle Creek before the war for similar accommodations.

The firm of Stuart, Edwards & Severens was composed of Hon. Charles E. Stuart, then and for many preceding years one of the most eminent lawyers in Michigan, was one of the early settlers in Kalamazoo, had served in the Michigan legislature, was three times elected to the National House of Representatives and held the office of United States Senator from Michigan from 1853 to 1859. He was never very thoroughly versed in the learning of the law, but, notwithstanding that fact, he was a lawyer of great ability, relying on his sound common sense, of which he possessed an unusual amount, and on the aptness with which he was able to perceive, quickly and comprehensively, the soundness or fallacy of a legal proposition. He was, moreover,



a skilful practioner and an exceedingly able and eloquent advocate.

John M. Edwards was what was known in those days as "an office lawyer", that is, one who seldom or never took part in the trial of cases in court. He held the office of justice of the peace in Kalamazoo for a number of years, studied law and was admitted to the bar rather late in life, was industrious and pains-taking and was skilful in drafting legal papers, especially law and chancery pleadings.

Henry F. Severens was, at the time of which I am now writing, a comparatively young man, being about thirty years of age. He had been Prosecuting Attorney of St. Joseph county, Michigan, and became a member of the firm before named about the year 1864. He was a good lawyer and an industrious one, especially in searching for precedents. In 1886 he was appointed United States District Judge for the Western District of Michigan, was afterwards appointed Circuit Judge and Judge of the Court of Appeals, and retired about the year 1911.

The office of the firm was in the Israel block on the corner of Main and Rose streets. One of the rooms was occupied jointly with one Dr. Huntington, who had a student, a young man named Walden, while the firm with which I was reading had another student besides myself, one James Madison Severens, a brother of Henry F. Naturally Walden, young Severens and I speedily became acquainted and I was on good terms with both of them during the few years they remained in Kalamazoo.

It hardly needs to be stated that on the very day of my arrival in Kalamazoo to live I again began reading law and continued this course daily and industriously. I returned at once to my former habits in that regard, was frequently, if not usually, the first in the office in the morning, remained during the entire day reading law and returned in the evening for the purpose of studying Greek or Latin or some other study designed to help me in acquiring a general education. I had no acquaintances in the village a-

side from those I have mentioned and two or three others at my boarding place; and with none of these was I on familiar terms. I attended church somewhat regularly, but no one paid any attention to me, sought my acquaintance or introduced me to any one. I kept in retirement, practically, worked hard and bided my time.

After a few weeks in the office of Stuart, Edwards and Severens, and when I had had time to maturely consider the matter, it occurred to me that my situation in that office was not the best for my interests. There were three members of the firm, so that there could be no need of any one besides them to do all the legal work of the firm, and if there were, there was a student in the office who was my senior and to whom any work of that sort would be given in preference to me. And I was ambitious to get into the actual work of the profession as speedily as possible--not with a view to earning money but so that I might be putting what I had learned of the law into practice for my own growth and progress in legal knowledge. I mentally resolved to consider the matter carefully and if I could find a good opportunity I would try to obtain a place in the office of a lawyer who was alone in business and to whom I could be of assistance in preparing cases for trial. While I was thus debating the matter in my own mind, I chanced to meet one of my army comrades, and in response to his inquiries I told him what I was doing and of the men with whom I was studying. I cannot recall that I expressed to him any doubt as to my remaining in the office and I have a strong impression that I did not, but for some reason this comrade said to me, "Why don't you go and see Charley May?" I made some indifferent reply and the comrade went his way; but not long after this conversation I concluded to act upon his suggestion and accordingly I called upon Mr. May at his office and stated my wishes to him with great frankness, telling him that I wanted a place in an office where I would be allowed to do some of the actual work of the office, especially in drafting pleadings, such as declara-

tions, pleas, bills of complaint, answers, demurrers, &c. He looked at me with some surprise and incredulity and asked, "Do you think yourself capable of doing this?" I assured him that I did and thought the question a strange one; but I can now see that it was a very natural one. I was still very youthful in my looks--"green" would probably accurately describe my appearance--and the few people to whom I had occasion to tell my age, while none of them went so far as to flatly accuse me of falsifying, would invariably, by their words and manner, clearly imply that they did not believe me. Some years after the interview with Mr. May which I have related he told me that his impressions of me at the time were favorable though he thought me rather young. Whatever may have been his impressions he acceded to my request and told me that I might come into his office at any time.

I had no thought that there could be any objection on the part of either of the members of the firm to my leaving their office, but when I broached the subject to Mr. Edwards he seemed to be surprised and much displeased, and on the following day Mr. Severens severely upbraided me for what he seemed to think was instability on my part, though what he had to complain of I did not know then and do not now. But the feeling manifested by Mr. Edwards and Mr. Severens grieved and troubled me and I went to Mr. May and told him that I felt in doubt whether under the circumstances I ought to make the change. But he assured me that he thought me "over-sensitively conscientious" in the matter and that I would do no possible wrong to the members of the firm by leaving them. I accepted his view of the situation and transferred my position from the office of Stuart, Edwards and Severens to that of Charles S. May. Some rivalry and jealousy between the two offices was doubtless the occasion of ~~all~~ the difficulty in the way of my making the change. And I ought to remark here that within a year or so at the most, all appearance of resentment or disfavor on the part of the members of the firm towards me died out, and from

that time I was always on excellent terms with those who then composed the firm and am still with the sole survivor, Judge Severens.

At the time of my taking a place in his office Charles S. May was thirty-five years of age and ought to have been, and probably was, in his prime. He had had a somewhat eventful and not altogether happy life. He was the son of a farmer in easy circumstances and had been favored with a good education although he was not a graduate of any institution of learning. In early life he had been in newspaper work and was for a time the Washington correspondent of a Detroit paper. He was ambitious to be a public speaker and studied law, but his legal education was so imperfect that for a time he had difficulty in being admitted to the bar, as he was unable to pass the required examination. He was finally admitted in the State of Indiana where no considerable amount of legal learning was required to secure admission to the bar. In 1854 (I think that was the date) he was elected to the office of Prosecuting Attorney of Calhoun county, Michigan, but by a decision of the Supreme Court of Michigan the office was given to his opponent on the ground that Mr. May was not at the time of his election an attorney at law. He came to Kalamazoo about the year 1856 or 1857 and in 1860 was elected Prosecuting Attorney of Kalamazoo county. In 1861 he raised a company for the Second Michigan Infantry and was commissioned Captain of Company K of that regiment, but resigned soon after the battle of Blackburn Ford in which the regiment participated. In 1862 he was elected Lieutenant-Governor of Michigan and aspired to be elected Governor in 1864, but was defeated for the nomination and also failed to be renominated for Lieutenant-Governor. It was while his political fortunes were at this low ebb that I went into his office. In 1868 he was a candidate for the nomination for Representative in Congress but was unsuccessful. In 1869 he was a candidate for the United States Senate but his name was withdrawn before the balloting in the legislative caucus began. In 1872 he was again



a candidate for the office of Representative in Congress but was beaten for the nomination by Julius C. Burrows. Because of this defeat he left the Republican party and by so doing cut off all hope of political preferment. He afterwards endeavored to obtain an appointment in the diplomatic service of the United States under President Cleveland, but was not successful. He was, at other times, a candidate for minor political places but did not succeed in obtaining any of them. His failures to realize his ambitions for office were due in part to ill fortune and in part to his want of political sagacity. These disappointments tended to embitter him against political parties and politicians and men in public life generally. He was of an exceedingly nervous temperament, was a constant sufferer from nervous dyspepsia and in consequence was very irritable in his disposition, one of those men with whom it is difficult to get along without friction. But he was a man of high character and of sterling integrity and on all moral questions his devotion to the cause of the right was unwavering. His friendship for me had no serious or long continued interruption from our first association to the time of his death which occurred in the year 1900.

Mr. May was never what is designated in the parlance of the legal profession as "a well-read lawyer." This defect was one which was always an obstacle of some magnitude in the way of his success at the bar. But he was a skilful practitioner, managing his cases well when on trial, and his services were very much in demand in important cases because of his great ability as an advocate, he being one of the best that Michigan ever produced in the days when advocacy of a high order was much more common and more highly esteemed than now.

I had little knowledge of Mr. May as a lawyer or otherwise when I took a place in his office, but knew that he was alone in business, that he was an eloquent advocate and that he had considerable employment in his profession, and for these reasons I concluded (wisely as it proved)

that I could do better with him than with any other lawyer or firm in Kalamazoo.

I was in the office of Stuart, Edwards & Severens just one month, namely, from June 26 to July 26 1865. I do not think that I lost any time by the change of offices, as I read more than two hundred pages of law on the day I entered Mr. May's office as a student.

For several months after my return from the army my law reading was confined to a review of the books I had formerly read. I took this course in order to refresh my recollection of legal principles so that I would have them firmly fixed in my mind for use when I should begin the practice of the law, and also that I might be prepared for admission to the bar as early as would seem to be advisable. With the latter object in view I joined what was called a "club" of law students who met once a week or oftener for the purpose of questioning each other on legal topics. I did not at any time neglect the study of things which I ought to have had a chance to learn long before, in school, and the occupations I have mentioned, with doing the copying of legal papers in the office, left little time for diversions of any sort. I did, however, join a class in vocal music (if this could be termed a diversion) and on one occasion I attended a Methodist social at which I was introduced to about forty people, of whom I never afterwards remembered more than two.

At about eleven o'clock in the evening of August 15, 1865, General Grant passed through Kalamazoo on the way from Detroit westward. The train conveying the General stopped at the station about fifteen minutes, during which time Gen. Grant stood on the rear platform of the train. Hon. Chas. S. May made an address in behalf of the citizens of Kalamazoo, the time of its delivery being about five minutes. The General made no reply to the address, spoke to no one, shook hands with no one, but stood in silence on the platform, facing the crowd, until the train moved on.

Within a month after the time when I began

reading with Mr. May he adopted my suggestion in regard to assisting in the legal work of the office and turned over to me the work of preparing a brief in a case or matter before a referee. I think that he did this without any thought that I could succeed in producing anything of real value, as that sort of work was not at that time given to a mere student. And he seemed to be both astonished and delighted when, after the lapse of two or three days, I placed in his hands a brief of some length, stating a number of grounds on which the cause of his client ought to prevail and supporting each one with an abundance of authorities found in legal text-books and in the reports of adjudged cases. This was a kind of work that he had never been in the habit of doing to any considerable extent, and its value to him he was quick to perceive. And from that time forward, as long as we were in any way associated in business, he relied on me, largely, to prepare the briefs in cases in which he--and, later, we--were engaged. And within a few days after I had prepared the brief which I have mentioned, Mr. May took occasion to talk with me for nearly an entire day concerning my plans and prospects for the future; and while I made no request of him nor did he make any suggestion to me in regard to my remaining with him, I could perceive by the drift of his talk that he wished me to remain with and assist him.

On the last day of August, 1865, I made a change in my boarding place. Mr. May was then in quite moderate pecuniary circumstances and was living in a small house on West Street. He proposed to me that if I would pay him one hundred and twenty-five dollars I could board in his family for a year and sleep in a little room off from one of the two rooms which he occupied as an office. I very cheerfully accepted this proposition, paid Mr. May the money, and purchased a very cheap single bedstead, some cheap bedding and a washstand, pitcher and washbowl for the furnishings of my room. I kept the little clothing I had in my trunk or hung it on the wall in my room. The room was a very small one, hardly larger than a

a large closet, had no window, and no door except the one opening into the office. It had no covering for the floor of any kind. It was a very poor place in which to sleep, but I occupied it for nearly four years, and it was afterwards used as a sleeping room by O.W. Powers for some years after he became a member of our firm, about the year 1873.

The fall term of the Circuit Court for the County of Kalamazoo began on the 18th day of September, 1865, and on that day Mr. May presented to the court my petition for admission to the bar. The Judge (Hon. Benjamin F. Graves, whom I had known slightly while I was living in Battle Creek, where he resided) appointed as a committee to make the required examination, Mitchell J. Smiley, William W. Peck and J. Davidson Burns. Mr. Smiley was one of the younger members of the bar, being my senior in age by only three or four years and had been in practice only a few years. The other members of the committee were among the older members of the Kalamazoo bar.

The examination took place in open court in the evening of the day on which my petition was presented. Usually when there were applicants for admission to the bar there would be a number to be examined; but in this instance I was the only candidate and all the questions came to me. It being the first day of the term a considerable number of the members of the bar and a few spectators were present and were attentive listeners. The examination was a very lengthy and thorough one, but I came through it with flying colors, being slightly puzzled by only one question, and in that instance the fault was more in the question than in the one questioned. At the close of the examination the committee, without deliberation, presented to the court a favorable report and the Judge directed the entry of an order admitting me to the bar on my taking the required oath of office. After the court adjourned I received what seemed to be the sincere congratulations of many of the attorneys present on the fine showing I had made on the examination. Among those who thus congratulated me was



John M. Edwards, whom I then considered rather unfriendly to me than otherwise.

A few days after my examination, the Kalamazoo Gazette (then edited by Volney Hascall, I think) contained this notice of it:

"At the present term of the Circuit Court Geo. M. Buck, Esq., was admitted to practice as an Attorney and Counsellor at Law and Solicitor in Chancery. Mr. Buck sustained a most admirable examination,--indeed it was the common remark of the Bar that no young man had ever given better evidence of legal learning and fitness on admission to this court. He has lately returned from three years of most honorable service in the 20th Mich., connected with the army of the Potomac and has reviewed his studies in the office of Hon. Charles S. May. Mr. Buck is a very worthy and estimable young man, and we wish and predict for him abundant success in his profession!"

Mr. Woolnough, then editing the Michigan Tribune, at Battle Creek, copied the above item in full and added:

"Mr. Buck commenced the study of the law in this city, in the office of L.C. Rhines, Esq. and many of our citizens will remember him as a close student, of gentlemanly demeanor, and in all respects a most estimable young man and worthy of the high praise bestowed upon him by the Gazette. He enlisted under the auspices of the gallant Barnes, and remained a faithful and efficient member of the Twentieth Regiment until it was mustered out of the service at the close of the war. His friends here rejoice at his success."

At the time of my admission to practice, the members of the bar in Kalamazoo were much fewer in numbers, both actually and relatively, than now. Kalamazoo was then a village of perhaps seven or eight thousand inhabitants, but its lawyers were esteemed as being second to none in ~~in~~ ability in the State of Michigan, except the bar of Detroit. Besides those who have been mentioned, the lawyers having the larger practice were Nathaniel A. Balch, John W. Breese, Josiah L. Hawes and Thomas R. Sherwood. Mitchell J. Smiley and Arthur Brown were regarded as being a-

mong the more able and promising of the younger members of the profession in Kalamazoo.

Nathaniel A. Balch was a man of much legal learning and ability but was handicapped by a most ungovernable temper. John W. Breese was rather slow in his mental perceptions but was scrupulously careful and was quite successful as a lawyer. Josiah L. Hawes (afterwards Circuit Judge) was a good lawyer, but there were those who suspected him that he was not as scrupulous in his practice as a lawyer ought always to be. Thomas R. Sherwood (afterwards for a short time one of the Justices of the Supreme Court of Michigan) was never a good lawyer, but was plodding, patient and persistent to a fault, and these qualities brought to him a certain measure of success. He was elected to the bench of the Supreme Court by a coalition of the democrats and greenbackers, being put forward as their candidate by the members of the latter party, while Judge Champlin was elected at the same time and on the same ticket as the representative of the democrats. He and I were always friends and he had many good qualities, and what I have here written of him is not penned in a censorious spirit.

In the State, the more eminent members of the bar were Charles I. Walker and George V.N. Lothrop, of Detroit, D. Darwin Hughes, of Marshall, Consider A. Stacy, of Adrian, Henry H. Riley, of Constantine, Thomas B. Church and Col. George Gray, of Grand Rapids, Franklin Muzzy, of Niles, and Daniel Blackman of Cassopolis. In Detroit, Theodore Romyn, Halmer H. Emmons, Judge Douglas and others were also lawyers of ability, and Ashley Pond and Don M. Dickinson were beginning to attract attention. With most of the lawyers I have named I afterwards became quite well acquainted, especially with Messrs. Lothrop, Romeyn, Pond, Dickinson and Riley.

At that time and for several years afterwards, George V.N. Lothrop was, by a majority of the bar of the State, regarded as on the whole the best lawyer in Michigan. I came to know him well as a man and a lawyer, and admired him so much that

I took him as my model. He was a finely educated lawyer, an exceedingly able practitioner and an advocate of rare eloquence. His arguments of legal questions were illuminating and forceful and never failed to win admiration from those who heard them. One of the Justices of the Supreme Court of Michigan once said to me that there was no lawyer in Michigan to whom the members of that court listened with so much interest and pleasure as to Mr. Lothrop. Mr. Lothrop was also the soul of courtesy in his dealings with the courts and with other attorneys and so far as I have ever heard he was universally liked and esteemed. For several years he represented the United States as Minister to the Russian court at St. Petersburg, lived to an advanced age and his death was regretted throughout the nation.

During the term at which I was admitted to the bar I attended court every day that it was in session and gave up my reading of law during that time for that purpose. But I was gaining more from that experience than I could have acquired in the same length of time from books. The term was an important one and Mr. May was employed in a number of the cases that were tried and I made myself useful in many of those cases by taking notes of the testimony. This was not only an advantage to Mr. May but almost a necessity, as the court had no stenographer and all that was preserved of the testimony was in the hurried, and often times inaccurate, minutes made by the Judge and the attorneys or their clerks. Another fact I will here mention, showing the want of conveniences for the transaction of business in the courts in those days. There were no calendars of causes printed for the use of the bench and bar, but instead thereof the clerk of the court made two lists of the causes to be tried at that term, one for the use of the Judge, the other for the use of the entire bar!

One of the most important cases tried at that term, and which attracted a great deal of attention throughout the State, was the case of Rev. Dr. James A. B. Stone against Rev. Thomas Jones

and wife, for slander, the claimed slanderous words imputing immoral conduct to the plaintiff while President of Kalamazoo College. The plaintiff was represented by Stuart, Edwards and Severns with Charles I. Walker as counsel, and the defendants by Henry C. Briggs, with Charles S. May and D. Darwin Hughes of counsel. The arguments to the jury were made by Charles I. Walker and Charles E. Stuart for the plaintiff and by Chas. S. May and D. Darwin Hughes for the defendants. It was indeed "a battle of giants."

As soon as the term of court ended I resumed my reading of legal text-books and continued that habit during nearly all the time that I was engaged in the practice of the law. After a time I also made it a rule to read in full all the reports of cases decided by the Supreme Court of Michigan as well as the decisions of some other courts, especially the Supreme Court of the United States, in order to learn what questions of law had been decided and were no longer open to controversy. And with the adoption of this custom I began to train my memory so that I might be able to remember not only what had been decided but where the decision was to be found. My memory for dates was always good, but my memory of other facts, and especially of persons and names, has always been wretchedly poor. I can easily recall many familiar sayings, but if I were asked in regard to who said any of these things I should, in nine cases of ten, be wholly unable to tell. But in attempting to remember decisions I so trained my memory that after a few years I was able to remember both the point decided and the names of the parties and the volume in which the decision was reported. As almost every client expects his lawyer to know all the law, I presume that no one ever thought it noteworthy when I was able to tell him at once, upon his stating a question to me, that the question had been decided and to take a book from my shelves and read the decision to him. But when on the bench I was many times astonished the attorneys by stating, without examination or hesitancy, that a question



raised in the progress of the trial of some case before me had been decided, with the names of the parties and the number of the report in which the case could be found. When it is remembered that the decisions of the principal courts of the United States are numbered by tens of thousands, it will be seen what these feats of memory involved.

And this accurate knowledge of adjudged cases was of great benefit to me both at the bar and on the bench.

But after my admission to the bar the amount of reading I was able to do sensibly decreased on account of my time being largely occupied with other matters. I began to take upon myself the work of the office the same as I should have done had I been a partner in the business. I looked after the conduct of Mr. May's cases before they were ready for trial or hearing, drafted the pleadings in most of the cases, attended to the entry of the proper orders, &c., which were made or granted ex parte, and in other ways made myself responsible for the regular and orderly transaction of the business of the office. As work of this nature was always irksome to Mr. May he was glad to be relieved of it, and the doing of it was beneficial to me as it enabled me to put in practice many things that I had learned in theory from the books.

But while I read less of law after I was admitted to the bar than I had been accustomed to read before that event, I enlarged the scope of my law reading and read such works as Vattel's "Law of Nations," Montesquieu's "Spirit of the Laws," and other works of kindred character. And as I was where books were to be had and my time was not wholly engrossed in work, I paid more attention to the matter of reading and studying works which I thought might help to supply the deficiencies in my education. For I was still ambitious to be somebody in the community and had sense enough to know that however pronounced might be my success in my profession my enjoyment of life could never be very great if I lacked learning in other things than the law. I

shall not attempt in this history to recount my efforts from time to time and from year to year in the direction I have indicated. I can only say that such efforts have never ceased for any considerable period but have been continued until now--with what degree of success I am not in a position to judge.

I trust that it does not need to be said that however anxious I might be to use all the time I could for self-improvement, I never failed to visit my relatives and friends and to encourage them to visit me. My love for my kindred and my regard and affection for my friends has always been a prominent trait in my character. I do not say this because I think it an especially praiseworthy characteristic; I mention it simply because it is a fact. But as this is my history and not the history of my relatives, I shall not recount the changes that came to them from time to time during their lives.

For many years after I went to Kalamazoo to reside it was the custom to have a course of lectures each winter. For several years these lectures were given under the auspices of the Young Men's Library Association, an organization not now in existence but which for a number of years maintained a library containing valuable works not to be found in the public library. I shall note, as this story progresses, such of these lectures as were given in Kalamazoo by men and women of national prominence. The first lecture in the course of 1865-6 was given November 21, 1865 by Rev. John S.C. Abbott, the historian. I remember the lecturer well, but remember practically nothing of the lecture and have unfortunately forgotten the subject of it. The next lecture in the course was by Rev. A.G. Laurie, a Scotchman, on "The Scottish Border." Bishop Clark of Rhode Island delivered his lecture on "The Living Machine", December 5, 1865. This was the only lecture ever prepared by Bishop Clark and was delivered by him more than one thousand times during his life. George Thompson, M.P., lectured January 20, 1866. The title which he gave to his lecture was "Reform and Re-

formers in England," and it was, of course, a political lecture. At that time Mr. Thompson and Henry Vincent were among the leaders in the British Parliament of what was then known as the Reform party in England, a party advocating substantially the same principles as those of the Liberal party of today. But in 1866 the Reform party could not muster enough votes in the House of Commons to influence legislation in the least degree. Mr. Thompson, like other Englishmen, was an indifferent speaker but his lecture was quite interesting.

January 30, 1866, Ralph Waldo Emerson lectured in the course on "Resources." Mr. May was President of the Association that year and it so happened that he was engaged in the trial of a case in justice's court that afternoon and failed to meet the lecturer at the train, so Mr. Emerson naturally called at the office. I was the only one in the office at the time so had to do what I could to entertain the caller. Mr. Emerson was not nearly so well known throughout the country then as he became soon afterwards, and I was not at all acquainted with his writings, so I stood in no awe of him whatever. I can remember very well how he looked and acted but there was nothing in his looks or actions worthy of description. He seemed to be an exceedingly pleasant and friendly gentleman, having a very retentive memory of persons and events, and quite alert as to all that was going on about him. He seemed to be much interested in the case Mr. May was trying, and when he was told that it was a "dog case", that is, a suit for killing a dog, he asked many questions about the case and about the dog. He remembered lecturing in Kalamazoo a few years before and of being driven to Grand Rapids in a cutter by Joe Church, a hunchback and a well known horseman in Kalamazoo. He quoted several queer sayings by Church during the drive of which I never remembered but one, and that was Church's remark concerning the mare he was driving, "I tell you, sir, she's a nasty thing to travel." Had Mr. Emerson been a novelist instead of a philosophical writer, Joe Church would, perhaps,

have had a place in one of Mr. Emerson's stories.

Mr. Emerson seemed to be quite annoyed by the fact that his trunk had not arrived and that he must wear on the platform a pair of boots much inferior to the ones he had intended to wear. It did not occur to me then that it was at all strange that a transcendentalist should be disturbed on account of so material a thing as a pair of boots.

Of course I have not related nor can I remember any considerable number of the wholly unimportant subjects of conversation that afternoon. But if Mr. Emerson were living and I should meet him now under similar circumstances, I presume that our conversation would be of the same order that it was then. Of course I attended the lecture that evening and I can still recall some of the striking <sup>things</sup> that were said by the lecturer. I was greatly edified, but from what I heard said of the lecture on the following day I think that many in the audience regarded it as a bore.

Anna E. Dickinson delivered one lecture in Kalamazoo on the 19th of February, 1866, and another on the evening following. One lecture was on the political situation, the other on woman's rights. I heard both and heard her many times in later years. She was by long odds the ablest and most eloquent woman speaker I ever heard.

But the great attraction in the course was John B. Gough, who came March 14, 1866. I heard him then for the first time and shall never forget the impression he made on me, which was repeated every time I heard him, as I did many times afterwards. Mr. Gough was then and continued to be until a very few years before his death, easily the king of the rostrum. For several years I was one of the officials of the Association, and we always sold more season tickets than we should have sold had not Mr. Gough's name been on the list, and then, on the evening when he lectured, we never failed to take in money enough for single admissions to pay Mr. Gough two hundred dollars and also to pay all the other expenses of his lecture.



It would be difficult to tell in what Mr. Gough's wonderful power as a speaker consisted. He was rather under medium height, had a somewhat pallid complexion and prematurely gray hair and dark, keen eyes. In speaking he violated every known rule of deportment, elocution and rhetoric. One of his common antics was to place both his hands under the tails of his coat and flap them up and down while he pranced wildly to and fro on the platform. And pretty much everything that he did in a physical way, while lecturing, was of the same character.

But I never heard one speak who possessed a moiety of Gough's power over his audiences. From the time that his lecture was fairly begun until its close he never failed or ceased for a moment to play upon the emotions of his hearers as a skilful musician plays on an instrument, causing them to be at times in raptures over delightful word pictures of scenes or events, at times filled with disgust or loathing because of some dreadful truth or circumstance, now convulsed with laughter, and within a few moments convulsed with sobs of grief. The first time I heard him he lectured on "Temperance" and to this day I shudder when I recall his description of delirium tremens. It was on the occasion of this lecture that Mr. Gough stated that he never delivered a lecture on any subject but that he devoted a considerable part of it to temperance, and my recollection of the lectures I heard him deliver afterwards, confirms this statement.

May 9, 1866, Fred Douglas came to Kalamazoo and lectured and I then heard him for the first time. Comparing him with white men, he was one of the greatest orators I ever heard. At the date I have named he lectured on "Reconstruction" and I could compare his denunciation of the policy of Andrew Johnson to nothing except what I then imagined to be the style and manner of Demosthenes while delivering one of his philippics. Some years afterwards Judge Wells, Presiding Judge of the Court of Alabama Claims, in telling me of his sojourn in Washington, said that of all the eloquent orators whom he had

heard Fred Douglas was much the greatest.

December 18, 1865, Hon. Austin Blair, "the War Governor" of Michigan, came to Kalamazoo to make an address at the College in the evening, and as Mr. May was out of town it fell to me to look after the Ex-Governor during the afternoon, and to some extent, in the evening. This was the beginning of a pleasant acquaintance with Mr. Blair which continued until his death.

On the first day of January, 1866, I entered into a nominal partnership with Hon. Charles S. May. This had been agreed upon only a short time before and was at my request. I hoped that Mr. May would suggest something of the sort, but as he did not I made bold to make the suggestion. I have often thought it a strange fact that while every political honor that I have ever received came to me without any solicitation on my part, I never obtained a business favor or advantage without asking or striving for it.

Mr. May and I made a merely oral agreement of partnership and I cannot now remember what its terms were. But I have a decided impression that it did not provide that I was to have any fixed share of the receipts of the firm during the first year, but that Mr. May was to pay me for my services from time to time as much as he thought that he could spare. I realized that this was not an advantageous arrangement for me so far as money was involved, but I was not at all anxious for pecuniary returns for my labor. I still had something left from my wages as a teacher and my pay as a soldier, (which I had placed in my father's hands in 1864) and I was most desirous of being where I could work and have a chance to show what I could do as a lawyer. During that year of 1866, Mr. May paid me something less than sixty dollars. Of course this was not all that I received as professional earnings, but I venture to say that all that I received for professional services during that year of 1866 did not amount to one hundred dollars. If I had received all that was paid into the office for services directly rendered by me in cases in justice's court alone, my income

would have been proportionally very much larger than it was.

I never owned a large law library but the beginning of the modest one that I did accumulate was made in 1866 when I purchased law books costing me about one hundred and thirty dollars. As these were largely second hand books, their real value was somewhat in excess of what they cost me.

As I was anxious to engage in the trial of cases, and as Mr. May was almost equally anxious to avoid the work of trying cases of little importance in justice's court, he and I both did our best to induce clients who had cases of the kind referred to, to allow me to attend to their cases. It was not always easy to do this, and there were many times objections and complaints on the part of clients when I appeared in their cases in place of Mr. May, as they had wished and expected to secure his services and were not satisfied to put up with the work of a boy lawyer. One of those who complained most bitterly on this account was Mrs. Babcock, who has been referred to in a previous chapter. Naturally these occasions were most embarrassing to me, but I presume that almost every young lawyer who begins business with an older and well established attorney or firm, has to suffer the same humiliation. Judge Montgomery once told me that this was one of the hardest trials he had to undergo in his early experience in trying cases in justice's court, and other attorneys have said to me substantially the same thing.

The first case that came to me was in December 1865, and was settled by the parties without a trial. The next was in January 1866, and was a suit in replevin, brought to recover goods sold by the plaintiff's partner to the defendant. Of course the defence was perfect in law, and as the justice was a lawyer and my client too poor to pay jury fees unless it should be absolutely necessary, I thought, in my ignorance and simplicity, that it would be as well not to have a jury. The case was tried in a dingy office and lasted well into the night. I managed the case fairly

well in the examination and cross-examination of witnesses and made a good argument to the justice on the legal question involved in the case, but my argument of the facts was rather weak owing to stage fright. At the close of the case the justice promptly decided it in favor of the plaintiff, and I then learned that by far the greater number of justices of the peace, in order to obtain business, would decide any case brought before them in favor of the plaintiff if any possible excuse could be made for so doing.

The next case that I was employed in was in February, 1866, and was settled by the parties before it came to trial. Nearly a month afterwards I was engaged by the defendant in a civil suit brought to recover damages for shooting a dog. There was really no good defense to the case, but something might have been made of it had a good lawyer been in my place and insisted that his client should admit the killing of the dog and attempt to justify the act. But my client chose to rely on the theory that he could not be identified as the one who shot the dog, and I had not then sufficient confidence in myself to take the defense into my own hands, as I often did in cases that came to me some years later. At the trial the identification of the defendant was complete and this left me helpless. For I had not then learned to make the best of a bad case and to gain credit to myself by making a determined fight against hopeless conditions. I tried to make an argument in the case but it was so weak and pointless as to be ridiculous.

In the next case that I managed alone my client was a farmer who brought suit against a prominent business firm in Kalamazoo. I remember almost nothing of the case for the reason that I won it, and in those days and for some years thereafter I took my successes as a matter of course and was much disturbed and disheartened by my defeats. In the next case I was for the defendant and again found myself on the wrong side, as the facts were against my client; but I succeeded in making a fairly good showing



both in the management of the case and in my argument to the jury. And now, on looking at myself as I was then, I can see that, poorly as I was doing, I was acquitting myself much better than could reasonably have been expected of me. I had never had any experience that would tend in any way to qualify me for the work of a lawyer in court, or for the argument of questions of any sort. I had never been a member of a debating society, and had none of the training that young men receive in a law school, was self-distrustful and so quiet, reserved and reticent that I was noted for being taciturn, almost unsocialable.

I now began to be employed more frequently (although the business was always done in the name of the firm) and in that spring of 1866 there came to me four cases in justice's court, between substantially the same parties and depending on the same state of facts. The opposing counsel was Arthur Brown, who, like myself, was the junior member of a firm. He was my junior in age by a year or two and my senior in practice by about the same length of time. He had the advantages afforded by a college education and by a full course in the Law Department of the University of Michigan, and was generally regarded as a bright and promising lawyer. And from the time when we were engaged on opposite sides in the cases to which I have referred, until he removed from Kalamazoo, we were pitted against each other more frequently than were any other two members of the Kalamazoo bar. Indeed for a number of years it was noticeable that whenever one of us was employed for the plaintiff in a case, the defendant was very likely to employ the other, as an impression prevailed among the laity that Brown was the lawyer best qualified to meet me, and that I was best able to defeat him. Brown himself said to his partners in confidence that he was more afraid of me than of any other lawyer in the State. The reason assigned by him was that I was--to quote his language--"so --- crafty in arguing questions of law to the court and the facts to a jury." He and I were some-

times on the same side in a case but not so frequently as we were opposed to each other. Brown and I were as opposite as the poles in our habits, tastes and sentiments, but were almost always good friends, personally and professionally.

The four cases I have mentioned were all tried in justice's court, and as between Brown and myself "honors were easy", as I won two and he two. I should have won one of those that I lost had not the constable who selected the jury "fixed" it against my client. But the trial of those cases developed the fact that I was beginning to get hold of myself and to be able to present the facts in a case fairly well and to make a decent argument to a jury.

But the management and trial of causes in justice's court was a comparatively small part of the work I did during the latter part of 1865 and the fore part of 1866. I was active and industrious in doing work in the office, and when the trial of one of our cases came on in the circuit court I took my seat at the counsel table with Mr. May and assisted in the trial by taking notes of the testimony, talking with witnesses before they were called, and conferring with my partner in regard to questions arising in the trial of the case. I cannot now remember just when I began to take a more active part in the trial of causes in the circuit court, such as examining and cross-examining witnesses and making arguments to the court and jury, but I presume that I gradually took up work of this kind towards the latter part of 1866. I can remember that it was at the fall term of that year that I began to present non-contested cases to the Judge of the Circuit Court and to attend to other comparatively easy matters in court. But on the Chancery side of the court all the testimony was taken before a Circuit Court Commissioner and all that work in our cases fell to me, so that I had to attend to that part of the business alone and examine the witnesses on our side and cross-examine the witnesses for the opposite party. This work was fully as important as the examination of witnesses in cases on the law

side of the court, although it was not so much in the public eye.

In the mean time I was becoming acquainted with the people of Kalamazoo, especially with some of the young people, and was beginning to take part in some of the social happenings in the village. On the 12th of January, 1866, a lodge of the Independent Order of Good Templars was organized in Kalamazoo, and I was one of the charter members. Up to that time I had retained my membership in the Battle Creek lodge, as the lodge voted when I went into the army that those who enlisted could retain their membership, without paying dues, until the close of the war. At the beginning, the Kalamazoo lodge was made up largely of professors and students of Kalamazoo College. Temporary officers were chosen until the next election, January 29, 1866, when, to my great surprise, I was chosen Worthy Secretary with practical unanimity, the only other member receiving any votes for that office, (as I now remember the event) being Philip S. Moxom, a lank, awkward student in the college, and now one of the most eminent clergymen of the Baptist denomination. I had taken much interest in the order after becoming a member in Battle Creek and did what I could to increase its membership, and this interest led me to write an article concerning the order, which was published in the Kalamazoo Telegraph at some time in April, 1866, and which is in one of the scrap-books containing clippings which are designated as "Personal Mention," although it should have been included in the book containing the clippings labeled "Writings." On reading this communication now, I can see how much it reveals of my temper and disposition then--decided and earnest for whatever I believed to be right and intolerant of any opinions to the contrary. At the close of my three months' term of office as Secretary I was, without solicitation on my part, chosen presiding officer of the lodge with practical unanimity. Under my administration the lodge increased greatly in numbers and influence. I remained a member of the order as long as it had a

lodge in Kalamazoo, represented the lodge in the State organization for many years and was a delegate from the Grand Lodge of Michigan to the International convocation held at Richmond, Indiana, in 1868. I was also the District Deputy of the Grand Worthy Chief Templar of Michigan for several years and organized lodges in many of the villages near Kalamazoo. My prominence and activity in the order brought me acquaintances throughout the county and, to some extent, in the State; and this was of advantage to me professionally and--as will be seen in the next chapter--politically.

And through my membership in the order of Good Templars and, perhaps, for other reasons, I began about that time to take rank socially in Kalamazoo. For several years it was thought to be "the thing" socially to belong to the Good Templars and the Kalamazoo lodge was made up, largely, of those who were regarded as being "in the best society." And this was especially true of the young people. Some, indeed, of what was then known as the "shoddy aristocracy" held aloof from the movement, but the greater number of those who were regarded as people of social prominence, culture and refinement, joined the order and attended the meetings of the lodge with commendable regularity. And the acquaintances I thus formed brought to me social advantages such as I never before enjoyed, except, perhaps, during the latter part of the time when I lived in Battle Creek.

I wish that I could conscientiously say that I made the very best of these advantages; but candor compels me to record that--according to my present judgment--I allowed myself to pay altogether too much attention to social matters and in this way frittered away time that could have been more usefully employed. I have been amazed of late, in reading over my old diaries, to see how, from being almost an ascetic, I suddenly changed my course and began to devote considerable time to social matters and how many evenings I wasted in making calls on girls for no other or better reason than that I found their society agreeable. They were all good girls, well edu-



cated, and--in most cases--refined in their ways, but it would have been better for me had I given by far the greater number of these evenings to study. These attentions (if they could be so termed) were generally understood to be meaningless and did no harm except for the waste of time. True I still devoted the greater number of my evenings to study in the office, but I cannot but think now that it would have been wiser for me to have used more of them in the same way.

On the evening of the 26th day of May, 1866, Major-General Orlando B. Willcox, my division commander during much of the time that I was in the army, addressed a meeting in Kalamazoo in the interest of the Soldiers' Monument Association of Detroit. In the afternoon of that day, learning that I lived in Kalamazoo, the General called on me, and we spent a decidedly pleasant afternoon--to me at least--in talking about the events in which our division took part in the war. Although I was not a commissioned officer I seem to have been well known throughout our brigade, and General Willcox was one of those commanders who have the rare faculty of knowing something about their men. And this interview was the beginning of a much valued acquaintance with the General which continued until the time of his death. I liked him very much and he always seemed to value my friendship. He was in Kalamazoo a number of times after the one I have just mentioned, and either he sought me or I found him on each of these occasions. He resided in Washington during the greater part of the time after I went there in 1900 until his death and I met him rather frequently. Some years before he died I wrote (by request) a true story of an event that occurred on the march to Petersburg--an event in which the General was one of the chief actors. This story was published in an obscure soldiers' paper of which a copy was sent to the General and he seemed to be pleased with it. But I think that he had then forgotten the incident, although he remembered it well in 1866.

On the 13th day of June, 1866, Carl Schurz lectured in Kalamazoo and I heard him; but I cannot recall even the subject of his lecture. As I met him several years afterward and heard him lecture again, I will reserve what I have to say of him until a later part of this narrative.

September 5, 1866, President Johnson stopped at Kalamazoo for a few minutes while on his tour through a considerable part of the United States. His object in making this tour was to defend his reconstruction policy and to further his candidacy for the nomination for the office of President in 1868; but, as has invariably been the case when a national character has gone through the country on a political mission in his own behalf, Johnson failed miserably and the meetings he addressed were frequently occasions for interruptions, questions, jeers and gibes by his hearers and angry and undignified retorts by Johnson; so that when he returned to Washington, disappointed and embittered, the greater number of the people of this country were ashamed of the fact that Johnson was President of the United States.

When Johnson stopped at Kalamazoo he was accompanied by Secretaries Seward and Wells and ~~Postmaster-General~~ Postmaster-General Randall, Generals Grant, Rosecrants, Steedman and Custer, Admiral Farragut and Senator Doolittle. All those whom I have named were introduced to the great crowd at the station, but only Johnson spoke. He spoke for about fifteen minutes and his speech was a weak aggregation of political platitudes. The crowd heard him in silence, but there were no tokens of approval of what he said, and the air and manner of those who listened and the expression on their faces, clearly indicated that the views of a large majority of those who were present were hostile to those of the speaker.

I was opposed to the regular Republican ticket. I voted for a few Democrats in place of some Republicans whose names were on the Union ticket, so that my first vote was practically Democratic.

I find recorded in my diary of date November 8, 1866, a statement that on that day I "voted for

## Chapter VIII.

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Politics and the Law.  
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I was "a born politician." From my earliest remembrance of events I always took a decided interest in whatever happened from time to time in the political world. The first Presidential campaign of which I have any recollection was that of 1848. Of that campaign I can remember only this: my older brother claimed that he was a Whig, because his grandfather, for whom he was named, was a Whig, and as my father was a Democrat I claimed to be a Democrat also. This led to many verbal contentions between my brother and myself over a mere question of names, as neither of us had the least knowledge of either the candidates or of the questions involved in the campaign. One of these discussions (?) took place one morning before I was out of bed and during the absence of my parents from home, and in the heat of the argument I stood up in my bed with only my night-clothes on and, in spite of the protests of my older sister, delivered a harangue for Cass, of which I cannot remember a word. The circumstance was impressed on my memory by the fact that after my parents returned home and inquired how the children had conducted themselves they were told by my sister that all had "behaved well except George. He stood up in bed and preached for Cass."

I have already recorded my recollections and views of the campaigns of 1852, 1856 and 1860. At the spring election of 1862 I cast my first ballot at the local election in Battle Creek. I regarded myself as a Democrat and voted the successful ticket, called the "Union Ticket" which was vigorously supported by L.C. Rhines (who was an ardent Republican) although it was opposed to the regular Republican ticket. I voted for a few Democrats in place of some Republicans whose names were on the Union Ticket, so that my first vote was practically Democratic.

I find recorded in my diary of date November 8, 1864, a statement that on that day I "voted for

Lincoln and Johnson, but hated to vote against McClellan." And that statement represents my political attitude during that campaign. Lincoln was the candidate of the Republican-Union party, which was pledged to the restoration of the Union without qualification or compromise, and that was what we who were in the army were fighting for. The democracy had adopted a "peace-at-any-price" platform, and while McClellan had repudiated the platform on which he was nominated and was uncompromisingly for "the Union at all hazards", the soldiers feared that if elected he would be wholly unable to control the situation. Urged by these considerations there were thousands in the army of the Potomac who voted for Lincoln while preferring McClellan. Of McClellan's intense and abiding loyalty there was no room for doubt. His letter of acceptance had demonstrated this beyond cavil, and his every act while in command of the army had been in harmony with his language. The charges of disloyalty against him, which were so freely used by his political opponents were so wholly unfounded as to be supremely silly.

McClellan was never "the idol of his soldiers" as has been so often asserted. He was immensely popular with the rank and file of the Army of the Potomac, and the great majority of his soldiers had a degree of confidence in him and a feeling of enthusiasm for him, amounting to affection, which they never had for any other general who ever commanded that Army. But this feeling was far from being blind idolatry. McClellan's soldiers had confidence in him because they appreciated his fine qualities as a man and his ability as a general. They knew the value of his services in making the Army of the Potomac "the finest army on this planet," and while they were by no means blind to his defects as a general, they knew his abilities also, and these abilities were made more prominent by the contrast between McClellan and his successors in command of the army. As the soldiers expressed it, "McClellan knows his trade." And in spite of the many carping criticisms and exhibitions of



"wisdom after the event" that were made during the war and have been made since its close concerning McClellan's generalship, the verdict of the soldiers, who best knew the conditions, was the correct one.

Another thing that endeared McClellan to his soldiers was his sincere affection for them and his regard for their lives, their comfort, and their welfare. He was, moreover, a man of the highest character in every respect. Although in his public acts and language General McClellan was foolishly egotistical, in his private life and in all his intercourse with the soldiers of the army and with his friends, he was plain and unpretentious and the soul of kindness. General Cutcheon, who all through the Civil War and afterwards was most bitter in his condemnation and criticisms of General McClellan, on both military and political grounds, once told me that he was for a number of days the guest of General McClellan in his own home, and Gen. Cutcheon could scarcely find words in which to express his admiration of General McClellan. "He was, I think" said Gen. Cutcheon to me, "the best type of the Christian gentleman I ever met." McClellan, like almost every other man who has sought or accepted high political honors, suffered for it, and he will never be given forgiven for committing the stupendous folly of being the candidate of the peace party in 1864.

On the other hand, in spite of all the later assertions to the contrary, Lincoln was not very popular with the soldiers of the Army of the Potomac in 1864. They recognized his good qualities, but they could not overlook the grave mistake made by him and his administration in interfering with the plans of the Union generals, especially with the plans of Gen. McClellan. They attributed this meddling to a craven fear -- not on Lincoln's part but -- on the part of the officials of the government for the safety of Washington. They believed and were, most likely, correct in their belief, that had the administration given to McClellan the authority and support in 1862 that it gave to Grant in 1864, the

war would have ended with the campaign on the peninsula, and the frightful slaughter of their comrades at Fredericksburgh, Chancellorsville, and in the campaign from the Rapidan to Petersburg would have been wholly avoided. They felt that the removal of McClellan, because of political clamor, when his army was on the eve of victory, was a blunder so inexcusable that it had the proportions of a crime that had cost tens of thousands of lives and had greatly prolonged the war.

My own views respecting the merits of the two candidates did not differ greatly from those of my comrades, as I have indicated in the preceding pages, nor have they changed materially since then so far as they relate to the conduct of the war. But time, and a better knowledge of the men, have modified my opinions regarding Lincoln's worth and McClellan's efficiency as a military commander. No one has more profound reverence for the memory of Abraham Lincoln than I, but this is in spite of his manifest mistakes in regard to military operations in 1862. As to McClellan, while I have not lost a particle of my admiration for him as a military genius, I can now see that his want of prompt aggressiveness was a serious defect in his character as the commander of an army, and must have justly as well as sorely tried Lincoln's patience.

I have written the foregoing in regard to Lincoln and McClellan in order to "explain my vote" (as is said in legislative bodies) in 1864. It may be thought that my observations would have been better suited to the story of my army service, but as it is more than probable that that story will never be written, I think that what I have written is not out of place in connection with my political history.

When I left the army in the spring of 1865, I was giving so little thought to political questions that it would have been difficult for me, or for any one, in view of my former political predilections, to determine to what political party I belonged; but I was so disgusted with the democratic platform of 1864, and my views were so much at variance with those of the leaders of

that party in regard to national political questions, that when Mr. May said to me on an occasion soon after I entered his office, "You are a republican, are you not?" I answered, as I thought truthfully, in the affirmative.

In the summer of 1866 I began to be active in local political affairs. I have already recorded the fact that my law partner, Hon. Chas. S. May was defeated for the nomination for the office of Governor in the republican convention of 1864 and was, by the same convention, defeated for renomination for the office of Lieutenant-Governor. The reason for his failure to be renominated for the latter office, to which he was clearly entitled by political usage, was that his political enemies in his party were in the ascendency in Kalamazoo county and the delegates to the State convention were opposed to his renomination. The republicans of Kalamazoo county were then divided into two factions, the Giddings faction and the May faction, the former being adherents of Hon. Marsh Giddings, Judge of Probate of Kalamazoo county, the latter being friendly to Hon. Chas. S. May, both Giddings and May being aspirants for the office of Representative in Congress.

In 1866, Mr. May being desirous of rehabilitating his political fortunes, determined to become a candidate for election as a delegate to the Republican State Convention for the nomination of State officers. Of course this project was opposed by the Giddings faction and a political war on a small scale was waged over the question as to who should have the barren honor of attending a convention as delegates.

I was naturally favorable to Mr. May's wishes and ambitions and labored to assist him by trying to influence voters to attend the township republican caucus and vote the May ticket for delegates to the county convention. In this I was highly successful, owing to a number of causes. I was then beginning to be regarded as an active and worthy young man and a promising young lawyer. I was also regarded as being the leader of the temperance sentiment in Kalamazoo

as exemplified and fostered by the Good Templars. That organization, as I have already stated, numbered among its members many of the foremost citizens of Kalamazoo, and nearly every one of them was friendly to me and anxious to oblige me in any reasonable way. Mr. May claimed that his defeat in 1864 was due to the hostility of the liquor interests, growing out of the prosecution of liquor sellers while he was Prosecuting Attorney of Kalamazoo county. This gave me a reason for asking the support of my temperance friends for Mr. May.

Until about the year 1885 Kalamazoo was only a village, politically a part of the township of Kalamazoo, and delegates to the county conventions were elected at a caucus of members of the party. The republican caucus of 1866 was very largely attended and was a very exciting one, several hundreds of votes being cast, and "the Good Templar vote", as the opposing faction called it, turned the scale in favor of Mr. May by a very considerable majority. For this result I probably received more credit than was my just due, but as the outcome of the caucus was a surprise to most of the republican politicians of Kalamazoo, it was generally attributed to my efforts and influence. And from that time until I went upon the bench I was regarded as a factor to be reckoned with in all political contests in Kalamazoo.

The caucus was held on Friday evening, August 24, and the republican county convention on the following day. At the convention delegates to the State and Congressional conventions were chosen after a rather sharp contest between the Giddings and the May factions, the result being in favor of the latter, Mr. May himself being one of the delegates chosen to represent the county in the State convention, and all the delegates to both conventions being his political friends. The result in the county convention was largely due to the outcome of the Kalamazoo township caucus; for, while that township had no more votes in the county convention than any other one of the sixteen townships of the county, as Kalamazoo



township had a large proportion of the population of the county, the delegates from that township had a commanding influence in the convention.

Before the delegates to the State Convention went to Detroit, where the convention was held, they had a conference in our office, and for reasons which may be inferred from what has been stated, I was asked to take part in the conference. I did so only to the extent of expressing my opinion in regard to one of the candidates for the nomination for the office of Secretary of State, and have reason to think that my opinion was followed and that by the action of the Kalamazoo county delegates the nomination for that office was decided. I may refer to this fact again farther on, and may not. Hon. Charles S. May was Permanent Chairman of the State Convention and the delegation from Kalamazoo county was an able and influential one.

Among the nominations made by the State convention was that of General Dwight May -- elder brother of Charles S. -- for the office of Lieut.-Governor. Dwight May was not named in this story among those who were prominent lawyers in Kalamazoo when I went to that place to live, for the reason that he was then in command of his regiment, the Twelfth Michigan Infantry, in Arkansas. But for some years before he entered the army he had been a well-known and able practitioner at the bar of Kalamazoo county. He came home in the spring of 1866 and resumed the practice of the law. He was in some ways like his brother and in other respects very unlike him. Like his brother, he was nervously irritable, fault-finding, and apt to be abusive towards his best friends, but was more tactful than his brother Charles and was at all times really warm-hearted and generous towards his fellow-mortals. He was always exceedingly friendly towards me, and I always got along with him well in spite of occasional outbursts on his part. An incident that occurred a few years after the time of which I am writing illustrates this fact and Gen. May's disposition and manner better than any

description. On the death of my sister's husband my sister petitioned the Probate Court for my appointment as guardian of the minor children and the appointment was made. As I had to have one or more sureties on my bond, I went to General May and simply told him that I had been appointed guardian of some minors and asked him if he would be willing to sign my bond. He not only curtly refused but proceeded to heap upon me a torrent of abuse for asking the favor of him, and to upbraid me for taking the office of guardian, advising me to attend to my legal business and let outside matters alone. I made no explanations but answered him pleasantly and proceeded to talk of other matters, and after a brief conversation I started to leave his office when he called after me, "Here! Where in ---- are you going? Bring that ----- old bond of yours here!" I complied, he signed the bond, I thanked him and took my leave.

I do not remember whether it was before or after the Republican State Convention of 1866 (but think it was after) that Dwight May came to our office and said to me, "George, why don't you go in for the office of Circuit Court Commissioner? One of the Commissioners, Charley Thompson, will be renominated, and he's all right, but Burrows, the other Commissioner, wants to be Prosecuting Attorney, and you can as well have his place as not." I simply replied that I should be glad to have the office if it came to me, and there the matter rested for a time so far as I was concerned. But Dwight May, who was always an active politician, began to talk me up among his friends and his efforts generally met with a favorable response. And as he had always been allied with the Giddings faction in Kalamazoo county politics, he secured some support for me from those who would not otherwise have been friendly to me politically. Charles S. May was too busy in trying to control the nomination for more important county offices to pay much attention to my candidacy, but just before the ballot was taken in the convention, he was active in trying to

secure my nomination. I did absolutely nothing (so far as I can remember) in my own behalf until the day of the nominating convention, when I approached some of the delegates with a modest request for their support, which was always expected of candidates and the omission of which was apt to be resented by the delegates as a reflection on their influence.

The Kalamazoo County Republican Convention for the nomination of county officers was called for the afternoon of September 8, 1866, and the Kalamazoo township republican caucus was held on the evening preceding that date. I was again quite active in going about the village and urging my friends to attend the caucus, and again the "May party" was victorious in the selection of delegates to the county convention. This result, as before, decidedly affected the result of the balloting in the convention on the day following, as most of the incumbents of the county offices were "Giddings men" and were displaced by adherents of the May faction. J.C. Burrows, although affiliated with the Giddings faction, was nominated for Prosecuting Attorney by the votes of some of the friends of Chas. S. May, although Mr. May bitterly opposed his nomination.

In the convention I had two rivals for the nomination, Robert F. Hill and Gershom P. Dean. The former I did not then know, but he and I afterwards became very close friends, he being about my own age and having been a Lieutenant in the First Michigan Sharpshooters in the Civil War. Mr. Dean was nominally a lawyer but had no practice of any account. He had been for a number of years one of the Justices of the Peace of Kalamazoo. Both Commissioners were to be voted for on one ballot and on the first ballot Charles A. Thompson received forty-nine votes, I received forty-two, R.F. Hill six and G.P. Dean, seven. A delegate then moved that Chas. A. Thompson and I be declared unanimously nominated, and the convention so voted.

The republican ticket, as made up by the State Convention and the Kalamazoo county convention,

had a decidedly military cast. By the State convention Gen. May was nominated for Lieutenant Governor, Gen. Spaulding for Secretary of State, Gen. Stoughton for Attorney-General, Gen. Humphrey for Auditor General, and, I think, Gen. B.F. Pritchard for State Treasurer. If I remember aright, there were only two candidates on the State ticket who did not bear the title of "General." On the county ticket, Col. Orcutt was the candidate for Sheriff, Capt. Burrows for Prosecuting Attorney, and Capt. Thompson for Circuit Court Commissioner. All these titles were displayed on the ticket as printed in the republican newspapers, my name appearing with the modest prefix of "Sergeant," until a week or so after the nominations, when George Torrey, the city editor of the "Telegraph" called me into his office and asked, "Would you be willing that your name should appear on the ticket as "Private" George M. Buck? We have a lot of Generals and other commissioned officers on our ticket, but there isn't a private soldier in the whole lot." I told him that I hadn't the least objection to the change and it was thereupon made. Not many days after the change was made, Captain Cadman met me and asked what breach of military discipline I had committed that caused me to be reduced to the rank of private from that of sergeant, alluding to the fact that in the army if a non-commissioned officer was guilty of a serious misdemeanor, he was summarily reduced to the rank of private by the captain of the company, without the formality of a trial.

The campaign of 1866 was more exciting than many Presidential campaigns, on account of the contest between President Johnson and the Republican majority in the Congress over the reconstruction policy of the former. The result of the election was an overwhelming endorsement of the policy of Congress and that policy was carried out in spite of the opposition of the President. Looking at the question without prejudice, and after the lapse of nearly fifty years, it can now be seen that Johnson's policy was directly in line with that which was begun by Abra-



ham Lincoln before his death, and was probably the correct and proper one in theory. Had Lincoln lived it is almost certain that he would have adhered to this policy with a great deal of tenacity, but whether he would have succeeded in persuading the Congress and the country to adopt it, is exceedingly doubtful as the temper of the great majority of the people was decidedly against it. And my own view is that it was vastly better for the nation that the Congressional policy prevailed, and in this theory I find the Providential reason for the assassination of Abraham Lincoln. While the Lincoln-Johnson policy may have been the correct one in theory, I am inclined to think that it would have worked out badly in practice. At the close of the Civil War the great mass of the people of the South were disposed to accept the result in good temper and good faith; but the southern leaders at that time--like the Bourbons--were never able to learn anything or to forget anything, and they were determined to undo all that had been accomplished by the war, to establish the right of secession and to re-enslave the blacks. Had the government of the Southern States been turned over to them without restriction, as Johnson attempted to do, there is much reason to believe that they would have succeeded in these designs, in the latter at any rate. But under the policy of Congress the South was not allowed to have any part in the government of the Southern States or of the Union until safeguards had been adopted which effectually prevented the accomplishment of the purposes of the Southern leaders. They did succeed in disfranchising the negroes, but they have not been able as yet to reduce them to a state of serfdom or peonage, nor do I think that this will be done for many years yet, if ever. The scandal and disgrace attending the carpet-bag misgovernments of the South were deplorable, but they were only temporary and were a wholly unnecessary concomitant of the reconstruction policy of the North.

I did not take a very active part in the political campaign of 1866, as I was wholly unknown

as a political speaker; but the republican county committee, in arranging for political meetings in Kalamazoo county, made three appointments for me -- one at Towers' school-house in Texas township, for October 25, one at Climax Corners (now village of Climax) for October 26, and one at Wakeshma (now Fulton) for October 30. Arthur Brown was billed to speak with me at each of these places. All were small, country places and the audiences were small. But the audiences were much better in every way than the speeches. I have somewhere preserved a statement of the substance of the speeches I made in that campaign, which were the first I had ever attempted. But the statement I have referred to is more a suggestion of what I attempted to say than a correct account of what I did say. My remarks were wholly extemporized and what I wrote out after the close of the campaign was the substance of what I said in part in some one, ~~one~~ or two or all the three speeches. The speeches I made in Texas township and at Climax were, practically failures. I had not then learned the first principles of public speaking, and all that I could do was to stand on my feet and say my say in a weak, irresolute way, which was in striking contrast with my later style. Arthur Brown's talks were a little better than mine, as he had had the advantages of a college training, but the audiences must have been inexpressibly bored. At Wakeshma I did somewhat better, my address being very well received and at times eliciting some applause.

At the election on November 6, 1866, I was elected to the office for which I was a candidate. I have no figures at hand showing what my majority was in the county, but I am confident that it was somewhat in excess of the average majority given for the republican ticket. My opponent, Walter O. Balch, was a very estimable and popular young man in Kalamazoo, but he had little acquaintance outside the village. He was at the polling place in Kalamazoo all day, soliciting votes for himself from his republican friends, while I was at the polls during only a part of the day, working for the general ticket and I cannot remember

that I approached any one with a request that he vote for me, and I had no one at work for me. But a considerable number of democrats voted for me without solicitation, so that when the votes cast in Kalamazoo township were canvassed, I had 382 majority, while the majority for the republican candidates on the State ticket<sup>et</sup> was 379. I am also confident that I must have received a number of democratic votes from my personal friends in Charlesten, Climax and Wakeshma townships. And I may say here that I was never a candidate for any political office that I did not receive a large number--sometimes hundreds--of democratic votes. Of course I always lost some republican votes--notably in 1876 and 1899--on account of my temperance sentiments. Indeed, my worst political enemies were in my own party; but at no political election at which I was a candidate, except that of 1899, did I fail to receive a larger majority than was given to the general republican ticket.

But while I was paying considerable attention to politics, I was not neglecting the law by any means. It was always a rule with me never to neglect the duties of my profession for politics or for any other business or diversion. It several times occurred that in the midst of a political campaign I would be billed for a political speech at a certain time and place, and it would so happen that I could not fill the appointment without neglecting, to some extent, some legal business. In such cases I invariably excused myself to the political committee and performed the duty which I owed to my client. Mr. May was apt to take the opposite course. But while much might be said in behalf of his action my own view was that I owed my first duty to my clients and not to the public.

I found little time for reading text-books during the latter part of 1866, but this was--in part at least--because I was busily engaged in the active duties of my profession, chiefly in preparing and assisting in the trial of causes in the circuit court. The number of cases in which I was employed in justice's court was not

large, but I was beginning to have more confidence in myself and to be able to manage the cases I had more skilfully, and was beginning to acquire a reputation for being not only a good lawyer but also a successful one. Of the ten cases which I managed in justice's court during the latter half of 1866, I was successful in seven, either as the result of the trial or in other ways. Of the other three, two were disposed of without trial and in one my client was beaten. In nearly all these cases I acted as a substitute for Mr. May, but in one or more the client came to our office to employ me, which was indeed a hopeful indication for me. In one of these latter cases I was employed to defend a man who had been arrested for a minor statutory offense and came to me, I think, because he and I had both served in the army, although I had no personal acquaintance with him before his arrest. The proof against my client was plain enough as presented, but by a skilful cross-examination of the complaining witness I so impaired her testimony that my client was discharged. This, however, was not the Durkee case referred to in an earlier part of this story. In another suit brought on a small account, against a warm friend of Mr. May, the client was naturally somewhat reluctant to have me, instead of Mr. May, try the case for him; but on the trial I succeeded in convincing the jury that the plaintiff was really indebted to my client, and they actually rendered a verdict for the defendant for the sum of nearly three dollars; which led him to think and to say that he had really fared better than he might have done had Mr. May tried the case for him. In two other cases I succeeded in defeating suits on written instruments, on purely technical grounds, and, as is usually the case, these counted for more in enhancing my reputation than cases won on the facts, as people thus obtained the idea that I knew the law and was a "sharp" lawyer.

At the same time I was beginning to acquire what was afterwards one of my valuable professional assets--the good will of my brethren of



the bar. They were beginning to be aware of the fact that while I was not an antagonist to be despised, I always fought fairly and never permitted anything on my side of the case that savored of anything except absolutely fair dealing. Those of my own age in the profession were beginning to treat me with cordiality and the elder members of the bar began to patronize me in their manners if not otherwise. And Dwight May for a considerable number of years before his death, made a practice of sending to me every one who wished to become his client and whose business he did care to undertake.

I have referred to my practice in justice's court, because in that I was almost wholly independent of any co-operation by my partner; but the trial of cases before a justice was really a very inconsiderable part of my work in the profession, even at that early time in my professional life. In 1866 the firm started, or was employed to defend, more than thirty cases in the circuit court, a large number for one office in Kalamazoo at that comparatively early day. Indeed the business of the firm seemed to increase very rapidly during the first two or three years after I became a member of it. The reasons for this increase were not far to seek. Mr. May had for years been accounted an able lawyer, but it was generally known that he was not industrious, that he gave much time to political matters and that his knowledge of the law was not well grounded in the fundamental principles of that science. This led to his being employed almost or quite as ~~much~~ often as counsel to assist merely at the trial of causes, as to his being engaged as an attorney to manage a case from its inception. But when it became known to the public that Mr. May had a partner who was accounted a good lawyer and withal industrious and careful, it led many litigants to confide their causes to our firm, believing that their cases would be diligently looked after and carefully managed, the legal points in their favor properly presented to the court and the facts ably argued to

the jury; in short, that they would secure good team work from the firm. I have already stated what my part of the work was, chiefly the drafting of the pleadings and other papers in each case, the examination of the points of law and the preparation of the briefs of law and fact for the trial of the case, by far the most laborious part of the business. But of this I never complained but rather sought from the first to take upon myself as much work as Mr. May would permit me to do. As early as in November, 1865, before I was a member of the firm, one of Mr. May's clients came to the office to have Mr. May prepare the answer of the client to a bill of complaint filed against him by his wife for a divorce. Mr. May was not in town, the client had driven a long way to see him, and the time limited for filing the answer was nearly at an end. I had never done anything of the sort and Mr. May had not dreamed of permitting me to undertake work so important. But I told the client to remain, had him detail slowly the facts constituting his defense, and these I wove into a structure forming his answer, coloring the facts by the use of strong adjectives and ornate figures of speech, so that the client--a rather ignorant farmer--was almost dumfounded with surprise and delight at finding that his case appeared to be much stronger than he had imagined. I had the document duly signed and verified and on Mr. May's return on the following day I laid it before him. He was greatly pleased with what I had done and thereafter whenever any work of that sort was to be done in the office, I was expected to do it, as a rule.

But my professional work in those earlier years, was far from being attended with uniform success, nor was it always worthy of commendation. And, as in almost every business, there were features of the work which I was doing that were far from being pleasant. I have indicated the fact that Mr. May was not always an agreeable man to be associated with on account of his domineering ways and irascible disposition. One reason for his want of success in politics was

his insistence on having his own way in everything pertaining to a political campaign and the abuse he sometimes heaped upon even his best friends if they chanced to disagree with him in matters of no practical importance. And it was to be expected that he should often be dissatisfied with my work without reason and that he should express his dissatisfaction in a way that was hard to bear. He was never really abusive towards me (although he was often so towards others) but I never relished being found fault with without cause. One of the things for which Mr. May criticised my work most was the pains-taking ~~May~~ ~~canes~~ which I exercised in the preparation of the papers to be used in the cases in which we were employed. He had no respect for the arbitrary rules of law and was not sufficiently versed in the science to see the necessity for such rules. Consequently he could see no reason for the extraordinary pains I took to have all our papers drawn with technical accuracy, and if I took more time than he expected in doing a piece of work of that sort he would sometimes (not often) condemn what he termed "verbiage" although I used nothing of the kind, the words I employed being only what were necessary for the statement of a cause of action or ground of defense in apt and proper language.

But there were a few instances (and only a few, according to my present estimation of the work I was doing then) in which I was justly blamed by others and severely criticised myself. One that was perhaps more strongly impressed on my mind and memory than any other, was this: When I came into Mr. May's office he had a case which had been pending in court for some time and which was an important one in regard to the amount at stake and the legal questions involved. The case had once been brought on for trial and on the trial attention was called by opposing counsel or by the court to the fact that Mr. May had made a serious error in drafting his declaration. This compelled him to submit to a non-suit, with leave to ask that it be set aside and with leave to amend his declaration on payment of costs by

his client. All this had happened before I came into the office. The work of framing a new declaration fell to me and this was properly and skilfully done; but in making a copy to be served on the attorneys for the defendant, I carelessly omitted to copy a few of the words and in the haste to serve the copy--as the time for service had nearly expired--I negligently failed to compare the copy with the original. The result was that when the case again came on for trial, in September/1866, the error was called to the attention of the court, and while the objection was a purely technical one and wholly without merit, it was erroneously sustained by the court, and the result was a further postponement of the trial of the case and additional expense to Mr. May's client. Of course I was severely blamed for the error and condemned myself more than any one else could have censured me. It is true that the mistake was one that might have been made in any lawyer's office and was not so serious as many that are committed very frequently by the most careful lawyers and their clerks; but in all my life I have never been able to excuse myself for permitting any misfortune to occur to any one which might have been prevented had I used greater care and caution.

I was never much given to patronizing sporting events of any kind, but being always an admirer and lover of a good horse, I attended a few "trotting-matches", as they were called, held in connection with the county fair or State fair at Kalamazoo. In 1858 I saw Flora Temple go over the course in something like 2.31. She was the finest specimen of horse-flesh I ever saw--not in beauty but on account of her eyes and their expression of superior intelligence. In 1859 she not only broke all her previous records (the best ever made before then being her record of 2.24), but the time made by her over the Kalamazoo track that year was thought to be impossible, namely, two minutes, nineteen and three-fourths seconds. This seemed so incredible that prominent turf-men refused to credit it until convinced by most irrefragible proofs, and men were



sent from New York to Kalamazoo to measure the track to make sure that the feat had been fairly performed. In the fall of 1866 I saw Dexter win three straight heats over Patchen in two, twenty-seven, two twenty-one and three-fourths and two twenty-one and one fourth.

There were a number of events of minor importance which occurred in Kalamazoo in the latter half of 1866, which were of interest to me at the time but which it would not be worth while to note--such as the political speeches of Ben Butler and others of lesser ~~note~~ reputation, lectures and addresses by eminent preachers and others, &c. As I was eagerly engaged in seeking an education, I availed myself of every opportunity that came in my way to increase my little accumulation of knowledge by listening to men with brains. And the platform was, in those days, an important agency for the impartation of truth.

Nor was my time wholly occupied in legal and political work, in reading law, in studying, and in calling on girls or accompanying them to or from public entertainments. I not only read current literature to some extent, but, without intending it, I began to fit myself for public speaking by carefully reading great speeches, notably those of Edmund Burke, whose published works I think that I read in full. I read these because I admired them and not with any thought that such reading would be of service to me in later years. But by reading things of that nature I insensibly made many and important additions to my vocabulary, and my later style of public speaking was due more to the influence on my mind and thought of the speeches of Burke than to any other one agency or source.

At the close of 1866 I wrote in my diary that while I was "not wholly satisfied" with my record for the year I was "profoundly grateful for the past, joyful in the present and hopeful for the future." And these words describe my condition at that time better than any I could now employ.

During the first seven months of the year 1867 the financial relations between Mr. May and my-

self continued to be the same as in the year 1866. But during those months my income was continually increasing in a number of ways. I was doing more work that brought money than I did in 1866 and Mr. May recognized this fact and gave me more of the fees received at the office, and after a time he made a practice of allowing me to retain all the money paid me by clients whose cases I managed in justice's courts. I was also receiving something in the way of fees for services performed as Circuit Court Commissioner. On the second day of January, 1867, I filed a bond for the faithful performance of the duties of the office, took the usual oath of office and was thus qualified to perform any of the duties that might come to me in that capacity. The surety on my bond was John M. Lay, then a citizen of Kalamazoo. When I was a small boy he was a dry goods merchant in Galesburgh (as the name was then spelled, now contracted to Galesburg). During the Civil War Mr. Lay removed to Kalamazoo and purchased a fine house on Main St. which had been occupied by Hon. John M. Gregory, for some years Superintendent of Public Instruction of the State of Michigan. I think that the house built by O. M. Allen stands on the site formerly occupied by the house I have mentioned. Just how I happened to ask Mr. Lay to sign my bond I cannot now recall, but as he was a client of the firm I presume that it simply happened that I asked him at a time when he chanced to be the person nearest at hand.

Under the constitution and statutes of the State of Michigan, a Circuit Court Commissioner is, in a measure, a deputy of the Circuit Judge. He has authority to fix the amount of bail in civil cases in the circuit court, to hear causes between a landlord and his tenant involving the right to the occupancy of lands by the tenant, and to take proofs in chancery cases. When I held the office the latter function was the most common and lucrative of all that the Commissioner had to perform, but has now wholly fallen into disuse owing to the custom of taking the testimony in chancery cases in open court. But in

those days there were--as has been stated--no court stenographers and the Commissioner wrote down the testimony of the witnesses, usually in narrative form, in long hand, a slow and tiresome process. The Commissioner was entitled to a certain fee for swearing each witness, and a certain amount per folio for writing down the testimony. What these amounts were I have wholly forgotten. The amount of business done by me in January, 1867, brought me in only three dollars, in February five dollars, but increased steadily throughout the year.

I also received some compensation for my work in behalf of the Good Templars organization. I was the Deputy of the Grand Worthy Chief Templar of Michigan and as such I had authority to organize lodges of that order and to perform other duties in connection with the lodges in Kalamazoo county, for which I received a stated legal compensation. In the same year I also received from the United States Government an additional sum of one hundred dollars on account of my services during the war.

But on the first of August, 1867, a change was made in the financial arrangement between Mr. May and myself. At about that time the year for which I had paid him for my meals at his house expired, and while I continued to sleep at the office I began to take my meals at Mrs. Perry's, paying for them fourteen dollars per month. After talking the matter over with Mr. May we agreed that I should have one fourth of the net receipts of the office. In view of the fact that I was holding a public office, the duties of which occupied a considerable part of my time, this arrangement was not wholly inequitable, though not very liberal towards me. During that year of 1867 my receipts were as follows: For professional work, \$560.97; for Circuit Court Commissioner's fees, \$190.65; from U.S. Government, \$100.00; from Good Templar lodges, \$31.50; total, \$883.12.

In the practice of my profession during 1867, my experience was quite similar to that of 1866, with this difference; I was growing steadily, was

beginning to have more confidence in myself and was successful in a larger percentage of the cases I tried alone in justice's court. Some of the cases I tried had peculiarities which so impressed me that I have remembered their leading features ever since they were tried and I tell of them here because this story must be largely given to the narration of "small events" if it is to convey any idea of my life and my work. In 1866 the First Methodist Episcopal Church started out to build a new church edifice. A fine site was purchased (where the building now stands) but the work of erecting a building was mismanaged from the start. A local architect, who was not competent to do work of that importance, was employed to make the plans, and had these been carried out the result would have been an architectural monstrosity. Fortunately this plan was afterwards abandoned, a competent firm of architects was employed, and the present beautiful structure erected some three years later. But before the change of plans the society began the work of erecting what was then called the "chapel" or lecture room of the church, in the rear of the main edifice, and the contract to build it was given to a local builder who was wholly incompetent as a builder. The result was that the builder failed to perform his contract, a disagreement arose, and in March, 1867, the church brought suit against the builder to recover a quantity of lumber. I was not then a member of the church, but was a regular attendant, a teacher in the Sunday School and a contributor to the finances of the church to the extent of my ability. But I do not suppose that the official members of the church even thought of me in connection with the case. They employed Stuart, Edwards and May, Mr. Severens having gone out of the firm and Dwight May having taken his place. The builder was a member of the Unitarian church, of which Mr. May was also a member, and came to Mr. May to employ him. As usual, the case was turned over to me to try, a duty I was not at all reluctant to perform. Mr. Edwards tried the case for the church. When the



testimony was all in it was too plain for argument that so far as the merits were concerned the defendant's case hadn't a leg to stand on. But I raised a legal question,insisting that the testimony showed the value of the property involved to be above the amount to which the jurisdiction of the court was limited,that the court had no jurisdiction and consequently the verdict must be for the defendant. As the jury in a justice's court is to decide the law as well as the facts in a case,I devoted my argument almost wholly to this question and read some authorities in support of my position. Of course my opponent argued vigorously against my contention but I convinced the minds of the jurors,and they rendered a verdict for my client. Since that time that church has been fortunate in having little or no litigation,but has had at various times some legal business to be performed which I was invariably called upon to do. And from the time of that trial,I cannot recall that any of the official members of that church had any important litigation without employing me,and I do remember that several of them did employ me in important cases while I was in the practice of the law. Nor was this experience the only one,by a considerable number,of the same sort that I had while in practice. One of the surest ways,according to my experience,by which to secure a man as a client,was to see that he was soundly beaten in a case in which I chanced to be employed against him. It sometimes happened, however,that when I was on the losing side in a case,the opposing and successful party would be so pleased with my way of conducting a case that he would give me his legal business thereafter.

Another case in justice's court in which our firm was employed in the earlier part of 1867, was that of a man in good circumstances and good standing in the community,who had been sued by a homeopathic physician to recover pay for professional services. A small part of these services had been rendered in cases of illness of the defendant or his wife,but much the larger part of the bill was for services rendered in the case

of a daughter nearly or quite twenty-one years of age, who was still a member of defendant's family. A cursory consideration of defendant's case would have led almost any lawyer to conclude that there was no defense to the action, as there was no question as to the rendering of the services and the prices charged were according to the fee-bill of the profession. But I was then beginning to act on the rule I afterwards followed, to make a strong fight, whatever might be the odds against my case, and if I had the weaker side to follow the Napoleonic military maxim that the weaker party should never wait to be attacked, but should attack the stronger side, especially at its weakest point. So after the plaintiff had proved his side of the case I made a feint of attacking the value of the services, by calling an allopathic physician who vigorously assailed the theory of the homoeopaths and testified that the services of a physician of that school were without any value whatever. Amid the flurry thus produced I quietly introduced testimony as to the situation of the daughter in the household of the defendant, showing that she was really working on her own account. When the argument was reached I paid little attention to the expert(?) testimony but argued vigorously that that defendant's daughter, although a member of the family and performing household duties for defendant, had in fact been emancipated and that defendant was no longer liable for medical services of which she was the beneficiary, although plaintiff had been called by the defendant himself. In my industry I had hunted up a decision of some court supporting my argument and this I used, but based my argument more on logic and principle than upon authority.

The case resulted as I intended that it should. A compromise verdict was rendered for plaintiff for the small amount for which defendant was unquestionably liable, and in favor of the defendant as to the principal part of the claim.

At the conclusion of the case I went my way, having other business to attend to, but my client went to our office and proceeded to talk to Mr.

May about my management of the client's case, in terms of most extravagant eulogy, saying that he had seen the work in court of many great lawyers but that I was "the best lawyer" he had "ever heard speak in any court." And for days and weeks he continued to talk in the same strain to all his acquaintances whom he chanced to meet. This was a somewhat exceptional instance, but as a rule our clients whose cases were decided in their favor were pleased with my work, and those who lost their cases did not blame me for the result. Of course there were exceptions, one or more of which I have mentioned in the preceding pages.

As has before been indicated, the preparation and trial of cases in justice's court was only a small part of the legal work I was doing, even in the beginning of my practice, as a member of the firm. I refer to these smaller cases more at length because I had to manage them entirely alone and take the blame or credit for such management. In that year of 1867 the firm was retained in about forty cases in the circuit court a substantial increase over the number in which the firm was employed in the preceding year. And in all the cases in the circuit court in which the firm was employed and which were brought on for trial in that year, I assisted in the trial and shared the labor as well as the responsibility with my partner, and in a few instances I tried our side of the case alone, without the presence or assistance of the other member of the firm. As has already been stated, Mr. May was not famed for industry and during and after the year 1867, he left the trial of many of our cases in the circuit court wholly to me. This was good for my training as a lawyer, and I never wished to have it otherwise.

In that year I had my first experience in the argument of cases in the Supreme Court of the State, and I relate it both because it marked one of the beginnings of my practice, and also illustrates the vicissitudes which attend a lawyer's cases.

Early in the year 1866, a bill in chancery was

filed by Arthur Brown in behalf of an elderly lady against her daughter and son-in-law to foreclose a mortgage given for the support of the complainant. The defendants retained our firm and when I had examined the bill of complaint I suggested to Mr. May that I had grave doubt whether the bill stated a sufficient cause of action. After I had fully stated to Mr. May my reasons for this opinion he agreed with my view and so I drafted and filed a demurrer to the bill. When the demurrer came on for argument, Judge Graves adopted our view and dismissed the bill. Brown appealed the case to the Supreme Court. I remember the ground on which we objected to the case as stated in the bill, but it would require considerable space to state it, and it is not material so far as this record is concerned. Looking at the question in the light of more mature consideration, my opinion now is that our contention was not well founded and that the decision of Judge Graves was erroneous, although Judge Graves always contended that his decision was right, and he has always been conceded to be one of the ablest jurists that Michigan--or any other State--ever produced.

When the time approached for the argument of the case, Mr. May announced his intention not to argue it in person. He had had one or two cases in the Supreme Court before that time, but he had his side of the case presented by some other attorney, as he was distrustful of his ability to argue legal questions, especially before the eminent justices of the court of last resort in our State. And this diffidence and self-distrust he was never able to overcome. Some three years after the time mentioned, he argued a case, in which he had prepared the brief, alone in the Supreme Court, and made a creditable argument. In another case which we afterwards had in that court, he nominally assisted me in the argument, but, according to my recollection, he took no part in the preparation or argument of any of other of the cases--about thirty in number--which we had in the Supreme Court while I was associated with



him in business. It is no more than just to him to say that after the dissolution of our partnership he argued in the Supreme Court a few cases with which I was in no way connected.

I did not at all like the idea of having the case I have mentioned submitted to the court without argument, and in some way it came about that it was agreed between Mr. May and myself that I should argue the case. Mr. May prepared the printed brief and when the case was ready for argument at the July term, 1867, Arthur Brown and I went to Lansing to argue it.

The Supreme Court at that time consisted of Chief Justice Martin (who, because of his health, his habits, or both, never appeared at the sessions of the court) and Associate Justices Cooley, Christiancy and Campbell. As, by the rules of practice, I was to make the opening argument, I proceeded to address the court, with no little trepidation but with a determination not to permit my argument to suffer on account of my stage fright. Between the time of the decision of the case in the circuit court and the argument in the Supreme Court, Judge Graves had resigned the office of Circuit Judge and had been elected to the Supreme Court in place of Chief Justice Martin, his term of office to begin on the first of January following. So I began my argument by saying that I felt greater confidence in the soundness of the decision of the case by the circuit court, on account of the opinion having been rendered by Judge Graves, who was soon to become a member of the court I was addressing. Brown, in his usual cynical way, criticised me severely for referring to Judge Graves, saying that it prejudiced the court against me; but I didn't believe it then and don't now. I have always thought that it was a fairly good thing to say.

Had I been permitted to make my argument as I intended, it would not have been a brilliant one by any means, but it would have been a passably good one. But I had no more than fairly begun my argument than two of the Justices, Cooley first, and Christiancy following, began to ask me questions which plainly indicated that they had

already prejudged the case against me. Many of the questions by Justice Christiancy were asked in a manner so arrogant and so unfriendly as to be well-nigh discourteous. Of course all this was terribly embarrassing to me and wholly ruined my argument and I finally contented myself with reading our printed brief. Under the rule I had the right to hear what my opponent had to say and to reply to his argument; but when Brown arose to make an argument he was stopped by Justice Cooley, who then and there announced the decision of the court, reversing the decision of the circuit court, and overruling the demurrer and ordering our clients to answer the bill of complaint. It ought to be said for Mr. Justice Campbell that he did not join his associates in their badgering methods, as that was never his way. He was always one of the best listeners of the many judges I have addressed.

Naturally, with my temperament, the experience I have just related was most humiliating and depressing. In later years I became well, almost intimately, acquainted with the three Justices I have named, as well as with their later associate, Mr. Justice Graves. I liked every one of them, and they all seemed to like me. With Justice Christiancy (the chief offender) I was afterwards on the best of terms, and for some time took my meals at the same table with him in the hotel where we stayed during the sessions of the Supreme Court. I never harbored any malice toward either him or Justice Cooley because of their treatment of me on my first appearance before them, nor did I at the time feel even resentful, but thought that in some way I must be at fault, though I knew not how or why.

But for a good many years past I have thought, deliberately, that the conduct of these justices on the occasion I have described, was contemptibly unjust and mean. They knew that I was a young and inexperienced attorney and would naturally feel some embarrassment on my first appearance in their court, and it would have been no more than decent treatment on their part to hear what I could say, without interruption, however

much their opinions might have differed from mine. And I always condemned the method practiced on that occasion and which Justices Cooley and Christiancy were quite apt to indulge in during all the time they were members of that court. While I was on the bench, whether a lawyer was young or old, ignorant or able, obscure or renowned, he was never interrupted in his argument by me, but received earnest attention and sympathetic interest from the beginning of his argument to its ~~and~~ close.

If, immediately following my first experience in arguing a case in the Supreme Court and the unkind treatment which I received at the hands of the justices of that court, I could have looked into the future far enough to foresee the time when those same justices, with their associate, Justice Graves, would invariably pay me unusual attention whenever I made an argument before them, and would, both directly and indirectly, express their high appreciation of my abilities as a lawyer and of the force, clearness and depth of my reasoning in the arguments made to them by me, it would have been a vast deal of comfort to me. But had such a thought then entered my mind, nothing could have seemed to me more improbable and absurd. And for many days I was indescribably wretched over my ill success and the humiliation inflicted upon me by the Supreme Court.

I have always taken a great deal of satisfaction in recalling another experience that I had before the same court about six years after the one I have described--an experience that was, to the legal profession, almost comical in some of its features, though in a serious matter. I have referred to a case in which Mr. May nominally assisted me in the argument of a case in the Supreme Court. The case was an important one and we had prepared our side of it with great care. It came on for argument one evening at Lansing, and of the opposing counsel (Arthur Brown and H. F. Severens) Brown was, under the rule, to make the first argument, to be followed by our side, Mr. Severens to close. But after Brown had proceed-

ed for a time with his argument he was stopped by the court with more than an intimation that they had made up their minds in favor of his contention but would hear us if we wished to be heard. I have never known a case, save that one, in which such an intimation did not end the argument, as no counsel cares to make an argument to a court which has formed and expressed a fixed opinion in regard to the case under consideration. So Mr. May did what any other lawyer would be expected to do under the circumstances, and declined to make an argument. But I was mad all the way through and at once announced to the court, with some asperity, that I had something to say, and then proceeded to array a number of authorities in support of our case and to support these authorities by my argument, showing that they were founded on reason and common sense. After I had proceeded in this way for a time, Mr. Justice Cooley interrupted me with a statement that one or more of the authorities cited by me did not apply because of a distinction in the facts in the cases. But I at once politely but flatly contradicted his assertion and proved by indisputable evidence from the record that his statement had no foundation in truth. That ~~silence~~ silenced that gun, and I then proceeded for from half an hour to an hour to fire hot shot into the position of the court, showing that it was opposed by the learning of all the courts in which the same question or any similar question had arisen, and, furthermore, as I proceeded to demonstrate by inexorable logic, the opinion intimated by the court was not only opposed to all the authorities on that subject, but was not consonant with either reason or plain common sense. Of course I did not use that language, but it was plain enough that that was the only deduction that could be made from what I said. And all the time that I was speaking, a considerable number of members of the bar from different parts of the State sat grinning and chuckling, and afterwards congratulated me for doing what many of them had sometimes wanted to do, but had never dared to do.



Of course I knew that my argument would not influence the decision of the court, but the judges, for very shame, did not decide the case then but took it under advisement. When the opinion was handed down, the justices carefully refrained from citing any authorities in its support, and the alleged reasoning on which it was based was so lame and vulnerable that it was almost puerile. But in saying this I must not be understood as intimating that the justices who rendered the opinion were other than they were reputed to be--all exceedingly able jurists. Their conduct in this case was the result of forming a hasty and ill-considered judicial opinion.

After the episode I have just described I was never again trouble with opposing questions or interruptions from that court. In every one of the many cases which I afterwards argued to those justices and their successors, I was given most interested and earnest attention, and in no instance was opposing counsel stopped in his argument, or an intimation given against my side of the case. On one or more occasions the court stopped my argument and announced an opinion in my favor, but it was never done against me. A few times Mr. Justice Christianity asked me, in the midst of my argument, one or more questions that plainly intimated that he agreed with me and was anxious to let me know it, but if any of the justices did not agree with me he kept it to himself. One experience in stirring up that hornets' nest seemed to be quite sufficient for the members of that court.

The year 1867 being an "off year" in politics, I took part in but one political contest. The Michigan legislature of that year passed an act providing for a constitutional convention, to which Kalamazoo county was entitled to send three delegates, one of them from Kalamazoo township. Mr. May became a candidate for the position, thinking that he could be chosen president of the convention and that this would give him some political prestige. He ought to have known better. I never knew membership in a constitu-

tional convention to add to one's popularity, and usually the reverse happens. Marsh Giddings, as fatuous as Mr. May, also wanted to be elected, and thus a contest was brought about. As it was known that the question of incorporating a prohibitory clause in the new constitution would be an issue in the constitutional convention, the saloon keepers of Kalamazoo determined that Mr. May should be defeated by any available means, fair or foul, and made their plans accordingly.

When the time arrived for making up the slate for delegates to the county convention, Mr. May and his friends proposed that I should be one of the number, thinking that it would attract the voters among my Good Templar friends. I demurred, urging that this would add to the hostility of the liquor element of the party and that it was wholly unnecessary as the republican voters among the Good Templars would vote for any good temperance men if advised by me to do so, and that my name on the ticket would embarrass me in my efforts. But my objections were overruled and my name was proposed to the voters as a delegate.

The caucus was held on the evening of March 23, and was very largely attended, the temperance people being out in force. There was never any question but that a large majority of the republican voters were cast for the May ticket--which the saloon men called "the temperance ticket", but scores of whisky democrats voted the Giddings ticket and the result is stated in my diary in these words:

"Wm. A. Wood, J.C. Burrows, T.C. Brownell, D.B. Merrill and Chas. R. Bates elected by whisky-democratic votes over Allen Potter, Alfred Thomas, S. W. Walker, Emmons Buell and myself; the vote standing 257 to 261 for the first five, and 218 to 220 for us."

Excluding my name, the candidates for delegates on both tickets were among the very best and most influential citizens of Kalamazoo, and, except J.C. Burrows, all were personally and politically friendly to me. The result of the caucus decided the result in the county convention.

Marsh Giddings was nominated and elected to the constitutional convention, but the work of the convention was so badly done that the people repudiated it at the polls and the proposed constitution was rejected by an overwhelming majority. And the fact that he was a member of the convention cost Mr. Giddings a number of votes in his candidacy for Congress in the following year.

The amount of law reading that I accomplished in 1867 was not great but was fair. In my general studies I translated a few of Cicero's Orationes and, besides some Greek, I studied Sir William Hamilton and a few other authors of works on metaphysics and also read some of the works of John Stuart Mill on Logic, and a few others of the same character. I also paid some attention to current literature and read "Les Miserables" -- then a new work -- for the first time. In October I began the study of French under a native of France, but he soon abandoned the work of teaching in Kalamazoo, and the class disbanded. I did not, however, abandon the study, but continued it alone as well as I was able, for a time. I patronized the theater and the opera but seldom, as I made it a rule not to attend except when a really good play or opera was to be given by at least a fairly good company. Among those I did attend was the play of "Elizabeth" by Mrs. Lander (widow of Gen. Lander, and then one of the leading actresses in this country) and an unusually good company. In opera I heard "The Barber of Seville," the star being Adelaide Phillips, one of the finest singers I ever heard. Of the lecturers whom I heard that year, Theodore Tilton, Robert Collyer, Benj. F. Taylor, Wendell Phillips, Henry Vincent (M.P. of England), John B. Gough, Schuyler Colfax, Charles Sumner and Dr. Holland were among the more noted, though I heard others whose lectures were, perhaps, almost or quite as helpful, although the speakers were not so renowned.

I cannot remember just when I first became a member of the Grand Army of the Republic, but I think it was in 1867 that I became a charter

member of Kalamazoo Post, No. 5, Department of Michigan, G.A.R. That Post, after an interesting history of a few years, surrendered it's charter. I do not remember all the official positions that I held in the Post or Department, but I do remember that I was for a time the Commander of the Post, and for one year was Senior Vice-Commander of the Department, General William Humphrey--my former brigade commander--being Department Commander. The organization practically went out of existence in Michigan in the early seventies, only one Post in the State retaining its charter. From about 1880 to 1882 a soldiers' organization called "Our Country's Defenders," had many members in Michigan, I being a member of the Post in Kalamazoo and a Department official. That organization went out of existence about 1882. It was while I was a member of that organization that I delivered the Memorial Day address at Battle Creek, in 1881. About 1882 or 1883 I became a charter member of Orcutt Post No. 79, Department of Michigan, G.A.R., and have retained my membership in that Post ever since. I have held a number of offices in the gift of the Post, and was Post Commander for a longer period than any other member, and finally relinquished the office at the end of a term owing to my positive refusal to serve longer. I was also for three or more years an Aide-de-camp on the staff of the Commander-in Chief.

My position in the Good Templar organization virtually required me not only to institute new lodges but also to visit occasionally the different lodges throughout the county, and it was but natural that at these visits I should be called upon to speak. In my home lodge I frequently took part in the discussions of matters of business or when the session took up the order of business, "For the Good of the Order. In these ways I gradually became accustomed to speaking to small audiences, and after a time it became understood among my acquaintances that I could make a speech if required to do so. In December, 1867, at a Sunday School Concert held in the lecture room of the M.E. Church, my name was



on the program and I made a speech of some sort, of which I remember nothing now.

It is not from any proneness to depreciate myself in any way, but it is my deliberate judgment that my efforts in public speaking in those days and for several years following, were poor apologies for speeches. It is true that they were as good as some that I hear now-a-days from young men of about the age that I was then; but they were not as good as most young men of good education and some training can deliver. I had had absolutely no instruction in either speaking or reading properly, and the lack of such training was painfully evident. My voice was light, thin, weak and high-pitched, my gestures awkward (and are so now) and my general manner was not at all pleasing. I was conscious of these defects and often wished that I could be instructed by a teacher of elocution, but how to obtain such instruction I had no idea.

But the worst defect in my public speeches was in their matter more than in their manner. I had not then sufficiently digested the little education I had to use it to advantage. I did not study too much, but the time I gave to study left little for thought and reflection, and my experience had been too little to enable me to "learn the trade." I could write a tolerably good address and read it fairly well, but I generally spoke extemporaneously and was not able, when I was unexpectedly called on to speak, to talk at random for a few minutes or tell a story, and while so doing frame in my mind the real beginning of my speech and construct the rest as I went along. But it is with no feeling of vanity, but with a keen consciousness of my defects as a public speaker, that I say that in spite of these defects I have for a considerable number of years past had too many evidences of the appreciation of those who have heard me, to doubt the fact that most people are pleased with my addresses, for the reason stated by a man who has heard me many times, when he once said to me, "Our people like to hear you speak, 'because', they say, 'when

Judge Buck opens his mouth he always has something to say" In the earlier attempts that I made to speak I could talk decently well, but it was too often the case that I said little that was worth hearing.

By the close of the year 1867 it was becoming evident to me, as well as to others, that I was beginning to succeed. I had not an assured but a fairly good position in the community, in society, in political circles and at the bar. And I was quite satisfied with my success in everything except in my profession. Like most young men I was over-ambitious and had hoped to accomplish more than was possible for any one situated as I was, and I ought to have known it; but I had really hoped for miracles in my behalf and was disappointed because they had not occurred.

It ought to have been mentioned in an earlier part of this chapter, that in 1867 I began the practice of writing anonymous articles for publication in the daily press. This practice I have continued at infrequent intervals until the present time. Some of these articles were printed over my initials, others over such signatures as "Citizen", "Justice", "Republican", and others of that kind, but the greater number were printed as editorial matter with nothing to distinguish them from editorials written in the office of the newspapers in which my productions appeared. A few of these articles are in the scrap-books marked "Writings," but many were not preserved in any way.

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## Chapter IX.

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The Law and Politics.  
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The year 1868 was very much like 1867, only more so. By that I mean that all my activities in 1868 were of the same character as those of 1867 but were much greater in 1868 than in 1867. In the law I made substantial progress in every way. I tried few, if any, more cases in justice's court in 1868 than I did in 1867, because it was beginning to be understood in the community that our firm was not desirous of obtaining petty business and did not care to undertake a case unless it was an important one and the client was willing to pay a considerable amount for our services. By "a considerable amount," I mean as compared with what Kalamazoo lawyers had been in the habit of charging for their services up to that time, not as compared with what Kalamazoo attorneys now charge. And only one of the cases tried by me in justice's court in 1868 now seems to me to have been important enough to be worthy of special mention. In February I was employed to defend a suit brought at Schoolcraft before Henry P. Smith, Esq., the father of Walter Smith, now Second Director of the Marine Band at Washington. My client failed to call for a jury and it was usually true that in such a case the defendant stood no chance of winning, as the justice was sure to find reasons for deciding the case for the plaintiff. But in this instance the justice was both honest and intelligent, and I not only succeeded in defeating the plaintiff's action but obtained a judgment of several dollars for my client. The plaintiff afterwards appealed the case to the Circuit Court and I tried the case there for the defendant before a jury with the same result as in the justice's court.

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the amount of legal work which I performed during 1868 was much greater than in the preceding year. And among the cases in which the firm was employed was one which I shall refer to at some length, because ~~in~~ the management of it by me had an important bearing on my after career as a lawyer. Early in January, 1868, a man named Millar came from Detroit to Kalamazoo to employ counsel to bring suit for the recovery of forty acres of land in Charlesten township, for which land he had in some way obtained a deed. The holder of the adverse title, a man named Babcock, was then in possession of the land. Millar conferred with my partner, and as Mr. May's way was to take a case and investigate its merits afterwards, he accepted a retainer from Millar and we began the suit at once. As the case involved the title to real estate, concerning which my partner had little legal knowledge, the investigation of the merits of the case fell to me.

But when I began to examine the question I soon discovered that on the face of the apparent facts our case was far from being a promising one. Millar claimed under a deed given by one Abraham Smolk of Detroit. Babcock derived his title from certain legal proceedings in attachment against Smolk in the Kalamazoo Circuit Court and a sale on execution under such proceedings, in behalf of certain of Smolk's creditors. If the proceedings were valid, Millar had no title.

But I thought that I discovered one or more fatal errors in the attachment proceedings. If I remember aright, these errors were not manifest on the face of the proceedings but consisted in the omission to do something which I claimed should have been done to make the proceedings valid. And my theory was that if the attachment proceedings were void, then Smolk was never divested of his title and that the title to the land was in his grantee, Millar. And on these seemingly slender assumptions I prepared to prosecute the case. In order to give a full, though succinct history of the case, I ought also to say that Babcock held a number of tax deeds

of the defendant.



of the land, and Millar about an equal number; but after a careful examination, I was of the opinion that not one of these deeds was of any validity.

I was always exceedingly reticent in regard to my legal business and was never in the habit of asking the opinion of other attorneys in regard to my cases, as many good lawyers were then and still are in the habit of doing. But I am not sure that my partner always acted on the same rule in that regard that I did; and in a small place, such as Kalamazoo was then, the lawyers were quite apt to inquire into the cases of other attorneys, and would sometimes freely express their opinions in regard to them. So I had a number of inquiries from other attorneys in regard to this case and the grounds on which I expected to win it. To all such inquiries I replied as guardedly as I could, and be truthful, so I stated that I hoped to succeed on account of errors in the proceedings against my client's mediate grantor, Smolk, but I was careful not to reveal what these claimed errors were. Now it so happened that the attorney who managed the attachment proceedings was Joseph Miller, Jr., an able and prominent lawyer of Kalamazoo, who was noted not only for his ability but also for the care and attention which he gave to the details of his business. Miller was elected Prosecuting Attorney of Kalamazoo county for one or more terms, although he was a democrat and the county was whig in politics. He was also, for a time, United States Attorney for the District of Michigan. He died in 1864. When I told the grounds on which I proposed to contest the title of Babcock to the land, every lawyer said to me in substance, what one (I think it was Dwight May) said in words: "You may as well throw up the sponge first as last. If Joe Miller managed these attachment proceedings the work was done right." I give these uninteresting details to show how little chance there was, apparently, to win the case, especially in view of the fact that in an action of ejectment, as this was, the plaintiff must recover, if at all, on the strength of his own title and not on the weakness of the title of the defendant.

The case was not reached for trial until in March, 1869, when it was tried before Hon. F. J. Littlejohn, Circuit Judge, without a jury. Mr. May and I represented the plaintiff on the trial, while the case was tried for the defendant by Charles R. Brown and a lawyer named Herron, the two being members of the firm of Giddings, Herron & Brown. Judge Littlejohn decided the case in favor of the plaintiff.

Up to the time of the trial the defence had evidently supposed that we relied on our tax deeds for a recovery. But after I had presented and argued our side of the case, the defence perceived that the case was far from being a clear one for them. So H. F. Severens was employed as counsel for the defendant and thereafter had practically the management of that side of the case.

Under the law of Michigan, the party who is defeated on the first trial of an action in ejectment, can have another trial on paying the costs of the first trial. The defence availed themselves of this right, and after this was done Mr. Severens came to see me to propose a settlement of the case. We agreed that there was enough uncertainty in regard to the outcome to warrant the consent of the parties to the settlement. We also agreed on a basis of settlement. We agreed that the value of the land was not far from one thousand dollars and that the party who should take the land should pay the other party five hundred dollars; Millar to have the choice whether to take the land and pay Babcock five hundred dollars or deed it to Babcock and receive five hundred dollars.

But when we submitted this proposition to our clients, both Mr. Severens and I met with difficulty in inducing them to accept it. Mr. Severens' clients, (for Babcock's grantor was a real, though not nominal, party to the suit) according to his report to me, said to him, in substance, "You tell us that you think we have a good defence to the suit. Why should we pay five hundred dollars for what we already own, or take five hundred dollars for land worth twice that

sum?" And Millar wrote us that he didn't want to sell the land as he wanted it for a home in his old age (as it has since proved to be), and that as the court had decided that the land was his already, he did not feel disposed to pay five hundred dollars for it. So the settlement was off and the parties prepared to go on with the case.

The case was again tried in May, 1871. As C.R. Brown had been elected Circuit Judge and was disqualified to hear the case, Judge Birney Hoyt, of Grand Rapids, presided at the trial. The case was tried by Mr. Severens for the defendant and by me for the plaintiff, Mr. May taking no part in the trial. The defendant introduced a large amount of testimony showing that the deed of the land in question from Smolk, and which was essential to complete Millar's chain of title, was executed by Smolk to defraud his creditors and was therefore void under the Statute of Frauds. To all this testimony I objected on the ground that as neither Smolk nor his grantee had been divested of his title by any valid legal proceedings, it was immaterial what Smolk's motives were in disposing of the land. This was a somewhat novel legal doctrine, but I believed that it was founded on logic and common sense, and I insisted on it. But the court ruled against me and the jury found for the defendant. I removed the case to the Supreme Court.

The case was heard at the April term of the Supreme Court, 1872, and was argued by Dallas Boudeman for defendant and by me for the plaintiff. The Supreme Court reversed the judgment of the Circuit Court because of errors in the rulings and instructions of the circuit judge relating to the attachment proceedings, and in the opinion hinted strongly that my contention was right, but did not directly decide the question.

On account of the difficulty of finding a judge to preside at the trial, the case was not again brought on for trial until in May, 1873. At that trial Judge Coolidge, of the Berrien Circuit, presided and the case was conducted by the same counsel as at the next preceding trial. Judge

Coolidge was a good lawyer and in the main a good judge, but he was too apt to take sides in cases tried before him, and in this case he vigorously espoused the cause of the defendant, and again the jury returned a verdict for the defendant, and again I took the case to the Supreme Court. When the case was reached at the April term of the Supreme Court, 1874, Mr. Severens wished to submit the case on briefs, and as the questions involved were purely technical ones, and as I had once argued the case to that court, I complied with Mr. Severens' request. The Supreme Court again reversed the judgment, this time on the ground contended for by me, which was, in effect, a decision that our client was entitled to the land.

But as the parties had refused to compromise the case when advised to do so by their attorneys, and as other questions than that of title were involved in the case, it had to be tried again. While the case had been pending, Darius F. Comstock, of Paw Paw, had been appointed Circuit Judge in place of Judge Brown, resigned, so that in September, 1874, I for the fourth time entered on the trial of the case in the circuit court, and Mr. Severens for the third time managed the defense. But while the case was vigorously contested by the defense, at the close of the trial the Judge, at my request, instructed the jury to return a verdict for the plaintiff.

At each of the trials of the case the tax deeds held by the parties were put in evidence and were met by testimony showing their worthlessness. But on this trial Mr. Severens offered testimony as to the value of the improvements made on the land by defendant and by those under whom he claimed, and asked that this value be allowed the defendant by the jury, under a Michigan statute. But I contended, under the authority of a decision by the Michigan Supreme Court, (a piece of judicial legislation, by the way,) that this could not be allowed, inasmuch as the defendant had not claimed title under his tax deeds alone, but had held the land under the deed given in the proceedings against Smolk, as well.



Judge Comstock upheld my contention so that the result was a complete victory for the plaintiff on all the points involved in the case.

As nearly as I could estimate the expenses of the action to our client, they were about five hundred dollars in addition to all that he recovered in costs from the defendant. So that if he and the defence had acceded to the terms of the settlement proposed by Mr. Severens and myself, he would have had to pay no more money than he did to carry on the litigation, and he would have come into the possession of the land about four years before he did. When Mr. Wing, Babcock's warrantor, came to our office and paid me the final costs of the suit, he told me that he had expended more than thirty-five hundred dollars in the case and had lost the money Babcock paid him for the land! I have several times mentioned this case as serving to "point a moral," the moral being that if one's attorney advises him to settle a case, one would better do it. And during all the time that I practiced my profession, I endeavored to adjust the cases of my clients without litigation, whenever this was reasonably possible. Many time my efforts in that direction were successful, sometimes they were not. In a few instances I lost my client's business by insisting on a settlement which was to his advantage though not to my own, but my conscience invariably approved of what I did in that way.

In a case involving the title to real estate, which I had some five years after the end of the Millar-Babcock case, the attorney for the opposite party proposed to me a settlement of the case and I strongly advised a settlement. I predicted to my client just what the course of the litigation would be and that he would eventually recover the land, but that the expenses of the litigation would be much greater than the amount he would have to pay in order to "buy his peace" as the legal phrase is. But my client was somewhat at enmity with the other party and declined to accept my advice. The result was in every respect just as I had predicted, and when my cli-

ent made the final payment to me for my services he said to me, "You were right in what you told me, and are all right in every way. Nobody could have managed my case better than you did, your charges are reasonable and everything came out just as you said it would. But I was a ---fool

not to take your advice when you advised me to settle the case. But I felt that I had been imposed upon and wanted to show people that I was right. If I had done as you advised it would have been money in my pocket now."

My success in the Millar case probably did more than the result in any other case that I ever had to give me a standing among the members of the profession and in the community as a lawyer, and especially in real estate cases. That I had won out in spite of such apparent difficulties and when opposed by one of the ablest attorneys in our part of the State, and had won by clearly perceiving, formulating and urging a somewhat novel and important legal proposition, gave people an exaggerated idea of my ability as an attorney, especially in that branch of the law which has more mysteries than almost any other to the average layman; while to my fellow members of the bar my success served to convince them that I was well versed in real estate law, not only in its fundamental principles but in its intricacies as well. This led to my being employed in many cases involving the title to land, not only in Kalamazoo county, but in other counties, even in distant parts of the State.

In other ways I was steadily advancing in my profession and receiving favorable attention from the bar and the public. Charles E. Stuart several times in his later years rehearsed to me the story of the event which first caused him to foretell an unusual degree of success for me as an attorney. On one of the last days of 1867 our firm was employed in a very important chancery case against the Grand Rapids and Indiana Railroad Company. I drafted the bill and procured from Judge Littlejohn a temporary injunction restraining the company and its contractor

from constructing their railway along Pitcher Street in Kalamazoo, permission to do so having been granted to the company by the common council of the village. Giddings & Brown were the Solicitors for the company, but Stuart, Edwards & Severens were employed as counsel. A motion to dissolve the injunction was argued in February, 1868, by Mr. Stuart and Mr. Severens for the company and by Mr. May and myself for our clients, the main arguments being made by Mr. Severens and myself. According to his statement to me, Mr. Stuart, after the argument, said to his associates, "You may mark my words, that young man, Buck, is going to be one of the most prominent lawyers at this bar in a very few years. He has an unusually fine legal mind." And, according to his claim, he adhered to that opinion as long as he knew me. I may say, in passing, that the decision of the court was in our favor, both on the hearing of the motion and on the final decision of the case; so that an important thoroughfare in Kalamazoo was saved to the public, instead of being appropriated by a railroad company.

In my law reading I accomplished rather more than less in 1868 than I did in 1867, notwithstanding the fact that that time was more fully occupied with important matters in 1868 than in the preceding year.

In the Good Templar organization, the year 1868 marked the culmination of my activities and influence. I still retained my position as Deputy of the Grand Worthy Chief Templar and was once during the year--if I remember aright--chosen presiding officer of my own lodge, the officers being changed four times in each year.

At the session of the Grand Lodge at Jackson in 1867, the delegation from our lodge had secured the meeting for 1868 at Kalamazoo, I making the speech of invitation. The session of 1868 was accordingly held at Kalamazoo in February, and was largely attended. Many of the delegates were men of prominence in the State, judges, lawyers, members of the legislature, &c. Naturally I had a prominent part in making the arrangements for the session, both before it began and during

its continuance, and these arrangements seemed to be more than satisfactory to the delegates. When the election of officers of the Grand Lodge took place, my name was proposed for the second highest office in the State, without my knowledge or consent, but I came within a few votes of being elected and would have been chosen had not the friends of the incumbent pleaded for his re-election as a vindication of his course as a member of the State Senate, which had been the subject of some criticism. At the same election I was the first chosen of a small number of delegates from the Grand Lodge to the National Grand Lodge, by a practically unanimous vote, although it was not the custom to recognize in any official way the place where the meeting of the Grand Lodge might be held.

In May I attended the National Grand Lodge of Good Templars, which held its session that year at Richmond, Indiana. On the way (as I had to go by way of Chicago, there being then no direct line of railway to Richmond) I stopped over Sunday in Chicago, (my first visit to that city) as the General Conference of the Methodist Episcopal Church was then being held there. On Sunday morning I attended the Centenary M.E. church and heard a fine sermon by Bishop Kingsley from the text, "And his name shall be called Wonderful," and in the evening went with Rev. Frank W. May, (a brother of Chas. S.) to the Wabash Ave. M.E. church and heard a sermon by Rev. Dr. Fess, (afterwards Bishop Fess), of which I have not the faintest recollection. On Monday I visited the General Conference session and saw, in addition to the bishops, many who were then prominent figures in Methodism, such as the two Havens--both afterwards bishops--Rev. Dr. Slicer, of Baltimore, and others. At that time no lay delegates to the General Conference were allowed.

At Richmond I attended the session of the body to which I was a delegate but took no prominent part in the proceedings aside from making a ~~speech~~ speech placing the chief official of the order in Michigan, Rev. John Russell, in nomination for the office of chief official of the order in

ing well versed in parliamentary law and could



America, the Michigan delegation having chosen me for that duty. I was entertained at the home of a prominent manufacturer of the city, met a number of the young people of the city, was taken out driving by a nice young lady one afternoon, and had a good time generally.

Another very unimportant event which occurred in that same year, 1868, (if my recollection is correct) is mentioned here because, if an account of it could be given just as it occurred, and as it seemed to those who took part in it, the story would be well worth telling. After it became evident from the result of the caucuses and conventions in Kalamazoo in 1866 and 1867 that the Good Templars were exerting a powerful influence in political matters, many of the politicians became members of the organization. I do not think that the membership of any one of them in the lodge made a difference of ten votes given to him or to his friends, but some of them at least evidently thought that it might. Among those who joined about that time was J. C. Burrows. I do not intend any implication that he joined from any unworthy motive, but as he and I were decidedly at variance in politics I took it upon myself to see that his membership in the order did not give him any added political influence. Some of his friends in the lodge put his name in nomination for presiding officer of the lodge. I knew that it would be bad policy to oppose his election, and so I brought out Mrs. Burrows as an opposing candidate, and as the result of some quiet electioneering on my part she was elected over the future Senator by a large majority, the first of a very few ladies ever chosen to that position in our lodge, and at that time a rather startling innovation. In each lodge of the order there is a Right Hand Supporter, and a Left Hand Supporter, who sit, the one at the right and the other at the left of the presiding officer. Whenever I was chosen to preside it was my custom to appoint two of the best looking ladies to these places. Mrs. Burrows appointed me to the former position, not because of my good looks but on account of my being well versed in parliamentary law and could

act as her prompter when necessary. I was informed at the time that the defeated candidate for the office of presiding officer of the lodge was far from being pleased with either the result of the election or with my appointment. Whether this was so or not I cannot say, but it was observable that his interest in the lodge ceased at about that time.

In politics the year 1868 was, for me, one of the most busy that I ever knew. I think--but am not certain--that it was in the spring of that year that the Good Templars played an important part in the choice of village officers at the municipal election in the spring. The government of the village was then vested in a President and four trustees (or eight, I forget which) who were chosen without regard to locality and all elected on one ticket, the President and four trustees being elected each year. At the municipal election in the preceding year the democrats had succeeded and the village marshal, chosen by the President and trustees, was a democrat, one William Green, who was faithful and efficient in the performance of all his official duties and especially in compelling the saloon-keepers to keep places that were nearly decent. As Michigan was then under a prohibitory law, it was easy for the village marshal to close any saloon or have the keeper punished for simply selling liquor, and this was sometimes done if a saloon became too vile to be endured. Green's strictness angered the saloon-keepers (to whose wishes the politicians then, as now, catered altogether too much) and at the democratic municipal caucus a ticket was nominated which was evidently selected to catch the votes of the whisky element in both parties in the city. And it became noised about the village that some of the leaders among the republicans proposed the nomination of a ticket of the same kind in order to capture the saloon vote if possible. But the republican Good Templars turned out in force at the party caucus and nominated a strong temperance ticket, placing Allen Potter at the head as candidate for President, and four representative

citizens of decided temperance proclivities for Trustees. Of course the saloon element in both parties supported the democratic ticket, but the Good Templars went to the polls and voted, without regard to party, for the republican candidates who were elected by decided majorities. At the election the supporters of the democratic candidates had charged, "That ticket means Bill Green for marshal," referring to the republican ticket. There was really no such design on the part of those who had been most active in trying to secure a good village council, but no one took pains to deny the statement I have quoted, and after the election I made it my business to wait upon the incoming President and Trustees and remind them of the issue made by the other side and on which they were chosen. And so it happened that Green, a democrat, was elected marshal by a republican village council. Of course there was wailing and gnashing of teeth among the saloon-keepers, but the good order maintained in the village during the following municipal year was all that could have been desired.

In the contest over the congressional nomination in the Kalamazee district in 1868, I took an active part. As the conduct of Marsh Giddings in the constitutional convention of 1867 had not been wholly satisfactory to the prohibitionists, I had a good basis for my work among those whom I knew best, especially in view of Mr. May's unvarying support of temperance principles. I went about the county somewhat, and in a few townships assisted in securing delegates to the <sup>convention</sup> county favorable to Mr. May. And just before the Kalamazee township caucus I gave up other work almost wholly and gave my entire time to going about the village and urging my friends to attend the caucus. My political methods were wholly new in Kalamazee county in those days and were the same as those practiced by Don M. Dickinson in Detroit somewhat later. I acted on the principle that if the caucuses were looked after the conventions would take care of themselves. Of course I didn't hunt for voters with a brass band, but did my work quietly and without the ap-

pearance of being at work at all. It was therefore a matter of great surprise to our political opponents that so many men who had never, in former years, paid any attention to caucuses or conventions had suddenly begun to take a great deal of interest in the nomination of candidates for public office.

The caucus was held on the evening of June 24, 1868. Our people being on hand early, secured the organization and thus prevented the casting of hundreds of votes by democrats. The result of the caucus was the election of the May candidates, Allen Potter, Alfred Thomas, Henry Wood, Charles H. Booth and Deles Phillips, over the Giddings candidates, S.S. Cobb, W.H. McCourtie, Chas. R. Bates E.O. Humphrey and J.C. Burrows, by a vote of 531 to 360.

I think that it was understood when the above named delegates were proposed that one of them should decline to serve and that I should take his place in the convention. At any rate that was what occurred, I taking the place of Charles H. Booth. Before the convention assembled in the afternoon of June 27, I was active in seeing the delegates from the several townships, although I not only knew beforehand who many of them were but how they would vote in the convention. A democratic newspaper, published in Detroit, a few days after the convention, contained a sensational article on the proceedings of the convention, giving me a considerable share of the credit--or blame--for the result and intimated that it was brought about, largely, by the free use of whisky by me. But the article was so sensational that few paid any attention to it except to laugh over it. I did not take a very prominent part in the proceedings of the convention, which was an unusually stormy one. The result was the election of delegates to the congressional convention who were partisans of Charles S. May.

As this is my story and not that of my law partner, I shall not take time or space to tell how it happened that after securing the delegates from his own county, Mr. May lost the nomi-



nation to a man in no way to be compared with him in ability. It is always easy to criticize what others do, and to show after the event, how it might have been otherwise, but I shall do nothing of the kind in regard to the result of the campaign for the nomination of Mr. May. I was not a delegate to the congressional convention and had nothing to do with it in any way.

As the time approached for the nomination of county officers in 1868, I again became active in the matter of the selection of delegates to the county convention. The Giddings and May factions were still aggressive and to some extent interested. After his defeat for the congressional nomination Charles S. May had determined to become a candidate for United States Senator in place of Zachariah Chandler, and the friends of Marsh Giddings were anxious to have Chandler succeed himself, hoping that Giddings might receive a Federal appointment under the incoming administration, which it was well nigh certain would be republican. Giddings was afterwards offered the position of U.S. Consul at Calcutta, but declined it with some indignation and without thanks.

The defeat of the Giddings faction had been so decided at the next preceding caucus, that at the caucus to elect delegates to the convention for the nomination of county officers the victory of the May party was almost assured from the beginning. A sharp fight was made by the Chandler-Giddings following, but the May delegates were easily elected, I being one of the number. In the convention a resolution was introduced by a Giddings delegate from one of the townships, endorsing Chandler for re-election to the Senate. Not caring to have the question debated, I moved that the resolution be laid on the table. As I was recognized as the spokesman for the May interests, my motion was carried by a viva voce vote and by an evident majority so great that there was no call for a division. It was indeed a bad piece of political tactics on the part of the Chandler supporters. It goes without saying that after that convention Mr. Chandler had no

use for me. While he always spoke to me when we chanced to meet (which was but seldom) his manner was far from being cordial. I will continue this digression far enough to say that Senator Chandler never appeared to me to be worthy of the place he occupied, while he was in the Senate or in the Cabinet. He was to be commended for his sturdy devotion to the principles of his party, but he seemed to me to lack, personally and politically, other qualifications which I considered necessary to the making of a statesman. I do not overlook the fact that by the action of the Michigan legislature Mr. Chandler's statue is to stand with that of Lewis Cass in Statuary Hall in the Capitol at Washington; but I cannot but think that if Austin Blair had not deserted his party at a time when it most needed the services of men like him to purify it from corruption, his statue would more truly represent Michigan statesmanship than does ~~of~~ that of Zachariah Chandler.

The candidate for State Senator nominated by the county convention of which I was writing before the digression regarding Chandler, was a pronounced supporter of Chas. S. May for the United States Senate, as were the three candidates for Representatives in the State House of Representatives. And most of the candidates for the county offices (except J. C. Burrows) were members of the May wing of the party. I was re-nominated for Circuit Court Commissioner without opposition and by acclamation.

In the campaign which followed the nominations for the several political offices, I made thirteen speeches in Kalamazoo county, a greater number, I think, than I made in any other political campaign, although of this I am not sure. My services in behalf of the republican ticket were in demand throughout the county and I spoke in all the villages in the county as well as in a number of places in the country. The only speech I made in Kalamazoo was in the evening preceding the election, when I spoke with a number of others and made a very brief speech.

The character of my speeches during that cam-

paign was a great improvement on those made by me two years before, and though not good, according to my present estimation of them, they were quite respectable and were generally received by my audiences with manifestations of approval and were well spoken of by nearly all who heard me, democrats as well as republicans. Indeed, in the whole course of my political career, I often made warm personal and political friends of democrats of more or less prominence who heard me speak on political topics. This was largely because I never indulged in any abuse or denunciations of the democratic party or of its candidates, but on the contrary I usually took pains to say a good word for the party, its history, its former statesmen, like Cass and Douglas, and sometimes for its candidates, and then, in an argumentative way I tried to show the superiority of the policy of the republican party over that of the democratic party, and the superior qualifications of its candidates. No democrat could justly take offense at this, and I never heard of one who did. And I have reason to think that, in later years, if not in 1868, my speeches in many instances served not only to "confirm the wavering and strengthen the weak" in the republican party, but also to persuade young men to join it, and perhaps in a few instances to induce democrats to change their political affiliations. And they certainly served, with other things, to lead many democrats to vote for me in preference to the candidates of their own party.

Early in the campaign a "Tanners Club" was organized by the young republicans of Kalamazoo. The members wore a simple uniform, consisting of an oilcloth cap and cape and were drilled in easy formations and evolutions. Their chief duty was to appear and carry a torch in the political procession which was almost invariably formed in the evening when a large political meeting was held. I was elected and served as the First Lieutenant of the club.

The election was held on the 3d of November. I have no figures at hand and no recollection as to the size of my majority in the county. I

find it noted in my diary that I received 172 majority in Kalamazoo township, which, according to my recollection, was somewhat in excess of the majority given for the general republican ticket.

Besides the political speeches made by me in 1868, I made a few others which were not political. I was invited by the committee in charge to attend a Fourth of July celebration at Schoolcraft and to respond to a toast. An account of the affair and of my part in it, written by O.B. Curtis of the 24th Michigan Infantry, is preserved on pages 24 and 25 of the first volume of "Personal Mention." The most that I remember concerning my response is that I was scared half to death while making it, my stage fright not being at all lessened by the fact that a charming young lady of Schoolcraft whom I knew well and whose guest I was during the day, stood directly in front of me and near the platform while I was speaking. My effort was certainly overpraised in the report to which I have referred.

I also delivered the address at the annual reunion of our regiment on the 25th of November, 1868. This was, I think, the third annual reunion and the second that I attended, the first, which I did not attend, being merely for the purpose of effecting an organization. At the reunion in 1867, held at Battle Creek, the address was delivered by Captain Allen (afterwards Rev. Dr. Allen of the Detroit Conference, M.E. Church), and the reunion following that was appointed to be held at Ann Arbor and Colonel Grant was chosen President. The Colonel, in behalf of the executive committee, invited me to deliver the "oration" as it was termed, and I accepted. Just why I was selected has never been quite clear to me, as the regiment contained an unusual number of good speakers. And this leads me to say here, what would be more appropriate in a narrative of my military service, that of the members of the regiment in which I served, there were an unusual number of boys who were intelligent and well educated. Indeed one of the first and enduring appellations the regiment received after it reached the front was, "The intelligent Twenti-



eth Michigan." A considerable proportion of those who were enrolled were students, either in the Michigan University, or the State Normal School, or were students of the law, medicine or theology. Of course the greater number of those who perished in the war were of our best as well as our bravest, but I cannot begin to tell the number of those who remained, who came home from the war to enter one of the learned professions, or who, in other ways, became prominent in the communities where they lived. And at our reunions the difficulty was not how to find speakers but how to select from those who were ~~well~~ able to speak and to speak well.

The reunion of 1868 was one of the very best the regiment ever had, and all have been good ones. The occasion is described in a report written by Elroy M. Avery and found on pages 29 to 31 of "Personal Mention," Vol. I. The evening exercises were held at the Methodist Church which was densely filled. Col. Grant presided, the President of the University (afterwards Bishop Haven of the M. E. Church), offered the prayer and Professor Frieze, an unusually fine organist, presided at the organ.

I was somewhat hampered in my address by the fact that the subject had been given me by Col. Grant, who requested that I speak on "The History of the Regiment." As I felt bound to give an outline of the entire history or the organization, much of the address could hardly fail to be dry and uninteresting. I tried to relieve it somewhat by descriptions of some of the events in the history I was reciting and by a description of the regiment in the concluding part of the address, and at such times the audience (which contained many University students) responded with vigorous and continued applause. The address, which was wholly extemporaneous, did not come up to either my intentions or my expectations, although both President Haven privately, and Governor Blair publicly, spoke well of it. If I had the same work to do now, under precisely the same conditions, I think that I could improve upon what I did then. After the close of the

exercises in the evening I rode with Gov. Blair on the train from Ann Arbor to Jackson (his home) and shall always remember that interview as one of the most pleasant I ever had with him.

Besides my law reading in 1868, I read much of other things, not only current literature but works like Guizet's "History of Civilization." And while I kept up my pernicious habit of paying a great deal of attention to young ladies, and also the better habit of "burning the midnight oil," I also gave a little attention to athletics, chiefly as a member of a base ball club. In those days lawn tennis was unknown, golf was never played in this country, while basket ball and sports of that nature were as yet unheard of. This state of affairs led some of the young ladies of the college, with perhaps a few others, to organize a ladies base ball club, for private exercise in that game, the grounds being retired and no spectators allowed. Chauncey Strong, Jas. P. Cadman (college boys) and I were the only gentlemen admitted, if I remember correctly, as members of the club, which contained from twenty to twenty-five members. For a time after the close of the base ball season the club held evening meetings at the homes of some of the members, for social amusements and such literary exercises as the members could be induced to furnish. I was early requested to read an essay and did so in November, 1868. I think that a condensation of this essay is preserved in a volume of my "Unpublished Addresses."

It was in 1868, I think, that I began purchasing the few books which I have owned at various times or all the time since then. My first investment in that line was in about a dozen volumes of "The New American Encyclopaedia." My circumstances have never permitted me to own many books, but I have never felt like apologizing for the character of the few that I have had.

As my life and its enjoyments have been largely made up of my association with the friends I have had, I shall try to mention some of them as this narrative proceeds. In 1868 I first met Rev. George Willard, then the Rector of the Epis-

cepal Church in Battle Creek. After a time he left the ministry and became the editor of the Battle Creek Journal. He represented his District in Congress for a number of years. He was a man of fine education, of superb character, and in every way most conscientious. I have no hesitation in saying that he was the very best editor of a newspaper that I ever knew, in ability, candor and conscientiousness. My first meeting with him was by chance, he having come from Battle Creek with Dr. Thayer, (whom I had known before the war) and for some reason, not now remembered, I spent the evening with them. And from that time until his death George Willard was always my friend, devoted, steadfast and true. I never in my life, so far as I can recall, asked him to do me a service, but there was never an occasion when he thought that he could help me, but that he embraced the opportunity, out of the goodness of his heart, eagerly and generously. He is one of the men whom I shall be most anxious to meet and glad to see when I reach the other side.

The year eighteen hundred and sixty-nine was, as regards myself, chiefly distinguished from 1868 in the fact that in 1869 I was married. As this record is solely for the eyes of those who, from their birth, were as cognizant as I was and am of the virtues and merits of the woman to whom I was married, anything in the nature of a eulogy of her life, her character and her virtues would be not only wholly unnecessary, but would be in questionable taste. I therefore pass the event by with no more than a mention of the date of it. We were married April 14, 1869, at the home of Henry Wood on South Street--where the Kirby house now stands. It was a very private wedding, no one being present except ourselves, the Wood family and a very few of the near relatives of the bride. After a brief wedding journey to Niagara Falls we began boarding at the home of Orra Bush (one of my old Charleston friends), a brick house still standing at the south-west corner of Park and Dutton streets. In the month of November in that year I received

an assignment of the unexpired term of a lease to H.F. Severens of what was known as the "Granger house," on the west side of Park St., a little south from Levell Street. In the following spring we took rooms and kept house in the Munsell house, the second east from Park St. on Dutton St. There we continued to live until in 1872 when we purchased a house and lot on the south side of Vine Street, between Rose and Park, where James E. Evers afterwards built a house. In 1878 we purchased a house and lot of Wm. G. Austin, on Stuart Avenue, opposite what was then the home of Chas. E. Stuart, now occupied by Chas. B. Hayes. Two houses now stand on the lot, which was then occupied by our house alone. In 1881 we purchased of Rev. Dr. Hodge the house and lot on Vine Street which we occupied until the latter part of December, 1899, and which will be well remembered by those who read this history.

The amount of business done by the firm in 1869 was only slightly in excess of that done in 1868, and the cash receipts were somewhat less. This was not surprising in view of the time given to political work in 1868, the results of which on business would not be immediately apparent. But the business began to revive in 1869 and that year was, to me at least, an exceedingly busy one. While my partner gave more attention to legal work in that year than he did in the preceding one, I still had to do the bulk of the work of drafting the papers in all our cases and had to try a number of them alone and assist in the trial of the others. The business of the firm was not only increasing at home, but we were beginning to be employed in cases in adjoining counties, Calhoun, Barry, Allegan and Van Buren, and at least one in a more remote part of the State. And to me the significance of this latter fact lay in the fact that in every case (with the possible exception of one), which we took that year in other counties than Kalamazoo, those who employed us did not come to engage my partner or the firm but to employ me, on account of personal acquaintance with me or because of my individual reputation.



The extension of our business territorially compelled me to travel about the country a great deal and to keep all sorts of hours. And as railways were by no means so common then as now, no small part of my travel was by conveyances other than railway trains. In the preceding year I went to Allegan to attend to a matter in the Circuit Court, going and returning in an old-fashioned stage-coach, there being then no railroad from Kalamazoo to Allegan, although one could make the same journey now over any one of two or three different railroads.

In one case that I well remember I was employed by an army comrade who served in the same brigade with me--with whom I was well acquainted although we were not in the same regiment--to defend a suit in justice's court in Barry county, the justice having been a lieutenant of the same company in which my client served and having also been personally acquainted with me in the army. I was anxious to have a jury, but my client objected as we had a good defence and he was sure that the justice would deal fairly by him. The result was, that in spite of the ~~fact~~ fact that we had a perfect defence both in law and in fact, we were beaten by the justice and my client, by my direction, appealed the case to the circuit court. When the case came on for trial in the circuit court we won on the law of the case, without trying the facts, the Judge taking the case from the jury and directing a verdict for the defendant, or by the plaintiff becoming non-suit at the suggestion of the court, I do not now remember which.

As there was then no railroad from Kalamazoo to Hastings, I had to go nearly all the way to the latter place by private conveyance furnished by my client. Our work in court being finished, we started to drive from Hastings to the home of my client. But the vehicle in which we were driving broke down when we were nearly twenty miles from my client's house. I urged that we follow the old way in such cases and "ride and tie," he to ride the horse a number of miles and then tie him and proceed on foot, I to follow on

foot to where the horse was tied, mount the horse and ride on past him a few miles, then tie the horse and proceed on foot. By thus alternately riding and walking we would accomplish the distance to his house much sooner than if we were to go on foot. But my client would not hear to this arrangement and insisted that I should ride the horse, all the way to his house, to which I finally assented. I arrived at the home of my client very late in the night. He procured some sort of conveyance and arrived shortly after I did. I mention this incident because it illustrates the way in which much of my work was done.

I tried a large number of cases in justice's court that year, being quite willing to attend to business of that kind, when sufficiently important, as a case in justice's court frequently brought one in the circuit court. One case that I had at Battle Creek was a very interesting one to me on account of its importance and also on account of some of the circumstances connected with it. I was for the defendant, the attorney for the plaintiff was Philip H. Emerson, afterwards United States District Attorney for the Territory of Utah, and the justice was one whom I had known while I resided in Battle Creek. The case was tried three times before there was an agreement of the jury, and each time there were some of my good friends among the prominent business men of the city on the jury. The final outcome was a verdict for the plaintiff for a very small sum, a result with which both my client and I were more than satisfied, as it was really a victory for the defendant in a case that was far from being a promising one for my client.

The cash receipts from the business of the firm that year were considerably less than in 1868 and, of course, my income was correspondingly diminished.

The only political events in which I took part in 1869, related to the Senatorial election in January, and the judicial elections in the spring. I have already stated that Hon. Chas. S. May was a candidate for the Senate that year and that

the members elected from Kalamazoo county to the two houses of the legislature were favorable to him. I went to Lansing at the opening of the session in Mr. May's interest and talked with a number of the legislators in his behalf; but there was no real contest, as a canvass of the republican members of the legislature, before the caucus, showed that a large majority were favorable to the re-election of Senator Chandler, so the names of all the other republican candidates were withdrawn before the caucus assembled.

I will mention, incidentally, although the event had nothing to do with politics, that having some business to look after at Skaneateles, N.Y., in connection with the settlement of the estate of my grandfather Peirce, and having also a matter of business with the publishers of the "Independent" in New York that would excuse a visit to that city, I concluded to go to both places on one trip and did so, going directly from Lansing. It was my first visit to New York City, and I can say that, as I remember it, that city then resembled the metropolis of today, in size and appearance, very little indeed.

In February, 1869, I was chosen a delegate to the County Republican Convention which elected delegates to the State Republican Judicial Convention for the nomination of a candidate for the office of Justice of the Supreme Court. There was no contest as to the choice of delegates in either the caucus or convention.

There was, however, a bitter contest in regard to the nomination of a candidate for the office of Circuit Judge, which came about in this wise. When Judge Graves resigned the office of Circuit Judge in 1866, a lawyer named George Woodruff, of Marshall, was nominated and elected in the place of Judge Graves. Judge Woodruff was a courtly gentleman of the old school, a fairly good lawyer and was very well-meaning as a judge. But it was an exceedingly difficult position for any one to fill after so able a judge as Judge Graves and the members of the bar of Kalamazoo county were greatly dissatisfied with him and a plan was formed to get rid of him. Dwight May

was Lieutenant-Governor, and at his suggestion a bill was introduced and passed by the legislature, changing certain judicial districts of the State, and taking Kalamazoo county from the Fifth Judicial Circuit and uniting it with Allegan and Van Buren counties to form the Ninth Circuit, Judge Flavius Josephus Littlejohn of Allegan, a democrat in politics, being the Circuit Judge. Judge Littlejohn was somewhat averse to the ~~change~~ change being made, as it would place him in a strong republican district. He could have defeated the proposed legislation, but was persuaded not to do so by prominent republican lawyers of Kalamazoo and Van Buren counties, who promised that his interests should be safe-guarded at the next judicial election. That election would take place in April, 1869, and when the time for the spring caucuses and conventions approached, the members of the bar attempted to keep their word, not only as an act of good faith, but also because Judge Littlejohn was a most excellent and able judge, and as such was held in high esteem by the people as well as by the bar.

But Charles R. Brown was ambitious to secure the office and set to work to accomplish this through the regular political channels. He was generally supported by the Giddings faction of the republican party, and as the greater number of the republican politicians had no interest in Judge Littlejohn, Brown succeeded in capturing the convention and secured the nomination. My name was on the list proposed as delegates to the county convention in the interest of Judge Littlejohn, but the Brown ticket was elected by a small majority on a light vote.

A convention of the members of the bar was called for the same time and place as the republican judicial district convention, in the hope that the latter convention could be persuaded to endorse Judge Littlejohn for the office of Circuit Judge. But Brown had succeeded in his designs, and the convention, by a very small majority, refused to accede to the request of the bar and nominated C.R. Brown for the office. I attended the bar convention and was chosen its secretary. An abstract of the proceedings of



the convention, &c., appears in "Personal Mention". It was hoped that the nomination by the bar would be supported by the people without regard to party, but, as has been said, the people had little interest in the matter, while Brown's friends, having the party machinery, proceeded to make a vigorous campaign for him, the action of the bar was denounced as "high-handed," and these republicans who supported Judge Littlejohn were classed as "belters." It soon became evident that, with the large republican majority in the district, Judge Littlejohn could not be re-elected, and he therefore withdrew from the contest in a dignified and commendable manner. His being deprived of the office was an act of the grossest political perfidy and dishonor, and to me always furnished a strong argument in favor of an appointed instead of an elective judiciary. My participation in the attempt to have justice done to Judge Littlejohn cost me the nomination for Prosecuting Attorney in the following year (as I was told by some who assisted in defeating me) but I never for a moment regretted my action in the matter.

There being no opposing candidate, C.R. Brown was elected. He and I were always on good terms personally and officially, and I was indebted to him for at least one important favor; but his success as a judge was not marked, and he resigned before the end of his term under circumstances which caused him to be severely criticized.

My activities in other things than the law and politics were nearly or quite as great in 1869 as in the preceding year. I still took a prominent part in the work of the Good Templar organization although I had resigned my office as District Deputy early in the year. In the Grand Army of the Republic I was elected to the second highest office in the State at the Department Encampment held at Detroit in February. I was not present at the encampment, although a member by right, being at the time in St. Clair county on legal business. I was chosen to the place largely because I had been a private soldier instead

of an officer in the army; but just why I was selected in preference to hundreds of equally worthy and deserving private soldiers in the State, I never learned. I have always had a suspicion that General Humphrey, my former brigade commander, who was at the same time elected Department Commander, was responsible, in some measure at least, for my being chosen. I have mentioned to each one of these for whom this narrative is intended, that at a time several years after the close of the war, Gen. Humphrey paid me a high compliment for courage, coolness and efficiency while I was a member of his brigade, on account, as he stated, of his observation of my conduct, although I had never before known that he had ever observed me especially at any time. Of course I had no acquaintance with him during the war, as he was the Colonel of the Second Michigan Infantry and afterwards in command of the brigade, while I was only a non-commissioned officer, not of his own regiment, but after the war I became very well acquainted with him and always esteemed him highly and he always seemed to have a high regard for me. He was Auditor-General of the State for a number of years, was warden of the State Prison for a time, and held other important positions in Michigan at various times before his death.

As Senior Vice Commandant of the Department, I instituted the first post of the order at Grand Rapids, June 28, 1869, and during my official term I visited, and in one or more cases, rehabilitated posts in the western part of the State. In the latter part of June I was also re-elected Post Commander of Kalamazoo Post, No. 5, G.A.R.

The more noted lecturers to whom I listened that year were Anna Dickinson, Fred Douglas, Stephen H. Tyng and Wm. H. Milburn. Douglas was one of the most eloquent and able speakers that I ever heard, and I doubt whether there have ever been many who were his superiors in regard to either eloquence or ability. At the Milburn lecture I introduced the lecturer without foreseeing that he would afterwards be elected Chaplain of the United States Senate, and that I would have a position in connection with that

body during his incumbency of the office.

Early in February I was selected to deliver the address at the dedication of a Good Templar's lodge room at Lawton on the 16th of that month. A portion of that address (which was written) is preserved in "Unpublished Addresses." June 6, I delivered the principal address at a children's meeting held at the First M.E. church. July 4, (Sunday) I made an address to a white mission Sunday School, at a meeting held at the A.M.E. church. Of course I made a number of brief, informal "talks" during the year, but the addresses I have referred to were formal ones of some length.

June 30 I was elected Recording Secretary of the Young Men's Library Association and after that date I held some official position in the Association as long as it had an existence. I will mention here, although I may refer to the fact again, that after the Association disbanded, as it did in the early seventies, and turned its books over to the Kalamazoo Public Library, I assisted in forming a volunteer organization--the name of which I have forgotten--that gave a course of lectures in Kalamazoo every season for a number of years. In this latter organization I held an official position during the whole period of its existence.

July 30 I was elected Superintendent of the Sunday School of the First M.E. church. I had held the office of Assistant Superintendent during a part of the preceding year. Before that time I was, for a year or two, the teacher of what was known as the Young Men's Bible class of the Sunday School, one of the largest classes in the school, and of which the pastor of the church was the teacher until, in some way not now remembered the teaching of the class was turned over to me.

I was not admitted into full membership in the church until September 5, 1869, and in just one week from that date I took a prominent part, as a layman, in the dedication of the new church building. The dedicatory sermon was preached by Rev. Dr. Reid, afterwards one of the Missionary Secretaries of the Methodist Episcopal Church. When

dedicated the building had neither tower nor spire. These were afterwards constructed and the money therefor raised by a society of the young people of the church, I being one of the officers of the society. The second window from the front of the church, on the west side, was put in with funds contributed by my Sunday School class.

My position as Superintendent of the Sunday School, made me, ex officio, a member of the Quarterly Conference, the governing body of the local church. And from that time to the present I have been, without interruption, a member of that body, and as such have had much to do with the affairs of the church. I have seen it grow from a comparatively few members to its present membership, and have personally assisted in the organization of three other Methodist churches in Kalamazoo, each one the child of the First Church. And the parent church has, in all these years, made a steady growth in numbers, in good works, and in influence in the community. It has had many times of "debt-paying," and other emergencies that called for liberality to the point of sacrifice on the part of its members, but all these occasions have been willingly and cheerfully met. It has been an unusual church in the harmony, good spirit and fraternal feeling that have always existed among its members and their willingness to co-operate with each other in everything calculated to advance the interests of the church and of the religion for which it stands. I count the work I have done in it and the influence of the church upon me, as among the important factors in the making of my life.



## Chapter X.

## A Legal and Political Promotion.

While its days were passing, and during all the years that have elapsed since then, eighteen hundred and seventy always appeared to me to be an unfortunate and unhappy year, though why it was so it would not be easy to explain. It was not a bad year in a business way, and, apart from an affliction that came to us in the death of our first child, no considerable misfortune occurred to me. The political defeat that I suffered in that year was not a serious matter and was not so regarded by me at the time, but the circumstances attending it, and some things that occurred that year in my law practice, led me to blame myself severely and caused me no little unhappiness.

The business of the firm during 1870 was unusually good. I do not think that I tried as many cases in justice's court in any other year of my practice as I did in 1870. The demand for my services in that class of cases was rapidly increasing, not only in the village but in all the surrounding country, and especially in the eastern part of Kalamazoo county and the western part of Calhoun county, and in Barry county also. In these cases I had more than a fair degree of success in every way. Most of them were cases involving serious questions and in themselves were prosaic enough, but about that time I adopted the plan of enlivening my cases--especially those in justice's court--by seizing upon some comical incident appearing in the case, or by dragging into the case--neck and heels if necessary--something to excite the merriment of the spectators. And I soon found that this increased my popularity as a lawyer with the great mass of the people, so that when it became known that I was to be engaged in the trial of a lawsuit, especially in the country, crowds would flock to the trial to enjoy the "fun." And I seldom sent

them away disappointed.

But in a few of my cases there were amusing features that did not owe their origin to me. In one of these, my clients, named Covell, were men who had been our nearest neighbors when I lived on the farm. They consulted me in regard to removing some tenants from their farm on account of the alleged failure of the tenants to farm the land properly. Cases of that nature were usually cognizable only by a Circuit Judge or a Circuit Court Commissioner; but by a law then recently enacted, jurisdiction was given in such cases to any justice of the peace of the township where the lands in question were located, provided there was no circuit court commissioner residing in that township or in any adjoining township.

As both the circuit court commissioners for Kalamazoo county resided in the village of Kalamazoo, I drafted the necessary complaint and directed my clients to take it to a justice of the peace of Charleston township and have him issue the required summons, and they did so. On the return day of the summons the defendants appeared with their counsel, Marshall D. Ewell, a lawyer of about my age, who had settled in Galesburg and who afterwards removed to Chicago and became noted as a law writer and also as an expert in cases involving disputed signatures, or handwriting, or documents. Ewell moved to dismiss the case of which I am telling, on the ground that the complaint did not allege that there was no circuit court commissioner residing in that or in any adjoining township, and that for want of this statement the justice had no jurisdiction. I was somewhat afraid of the question but concluded to risk it if the justice should refuse to dismiss the case.

An adjournment being taken, the parties, with their counsel, appeared on the adjourned day before the justice, when that functionary stated that since the adjournment he had made diligent inquiry throughout that locality and could not learn that there was any circuit court commissioner then living in that township, or in any

adjoining township, or that any circuit court commissioner had ever lived in that part of the country, and he therefore denied the motion. The case proceeded to trial and our side won. How it would have resulted on appeal I do not know, as no appeal was taken.

In another case in justice's court, my client had brought suit to recover the value of a watch which had been stolen from him and sold to an innocent purchaser who had refused to deliver the watch to my client after a demand had been made upon him for it. The defendant pleaded the statute of limitations in defence to the suit, that is, that the defendant had been in the undisputed possession of the watch for more than six years. This fact furnished a complete defense to the action unless it could be met by proof either that the defendant had been out of the State of Michigan or that the plaintiff had been out of the United States during part of the six years preceding the beginning of the suit, in which case the time of absence would be deducted from the six years. But no such fact existed in regard to either of the parties. My opponent, however, a lawyer named Edson, was not noted for having a very accurate knowledge of the law, so, presuming on his possible ignorance, I proved by my client that he had been a soldier in the Union army and out of the State of Michigan during a good part of the preceding six years. The defendant's attorney admitted that this fact, if proved, would take the case out of the statute, so I had no great difficulty in winning a verdict. And as the case was not appealed, my client recovered the value of his watch. But the chagrin of the defendant's attorney when he learned of the blunder that he had made, cannot be either imagined or described.

In the circuit court the business of the firm greatly increased over that of 1869 both in the number of cases in which the firm was engaged and in the amount received for services. One case which we brought that year in the circuit court was in behalf of the Covells, the neighbors whose case I managed in justice's court and of

which I have already told. The case in the circuit court was an important one and was won by us in the circuit court--Mr. May taking part in the trial--and was afterwards taken to the Supreme Court by Arthur Brown, the attorney for the defendant. I argued the case in the Supreme Court and won it there. And my satisfaction over this result was greatly enhanced by the fact that our clients were among the friends of my boyhood and had employed our firm on that account. And I will here record that during the years of my practice I was engaged in many cases by my neighbors, schoolmates and pupils in Charleston and Climax, and I failed to win only one case of all in which I was so employed, and that was an unimportant one in justice's court. And I was always glad that those who had faith in me in the days of my youth and obscurity were not disappointed in me when I was taking an active part in the more important affairs of life.

I have often cited the Covell case as an illustration of the inability of lawyers to predict how any case will be decided in any court. At the term of the Supreme Court at which the Covell case was argued, Arthur Brown and I had three cases in which we were opposed to each other. On the way to Lansing we talked them over "without prejudice", as the lawyers say, that is, in strict confidence of which no advantage is to be taken. And we agreed that he would unquestionably win one of the cases, another would undoubtedly be decided in my favor, and as to the third--the Covell case--we disagreed as to the probably result, I thinking that I would win it and he thinking that it would be decided in his favor. We argued the cases, and the Supreme Court decided the one I was to win in his favor, the one he was to succeed in was decided for me, and I also succeeded in the Covell case, the one concerning which we disagreed.

But a more striking illustration of the inability of attorneys to foresee the outcome of a case, was furnished several years later than the Covell case and while Judge Mills was on the



bench of the circuit court. I was rather suddenly called into a case in the circuit court which had come from a justice's court on appeal and which I did not try in the court below. I think, but am not certain, that I was engaged as counsel with the attorney for the defendant. At the close of the testimony I drafted a number of requests to charge, some of which the court gave. I won the case and the plaintiff's attorney took it to the Supreme Court. On looking over the assignments of error, I was convinced that one, at least, of the requests I had framed and which the court had given, was clearly erroneous on account of some fact or principle of law which I had overlooked in the hurry of the trial. I took the record to Judge Mills and stated my views and he at once agreed with me that in the giving of the instruction contained in that request there was palpable error. So that the opposing attorneys in the case and the Judge who presided at the trial all agreed that in the proceedings there was manifest error which would necessitate a new trial. I argued the case in the Supreme Court for the defendant and touched very lightly on the question of error in the instruction I have referred to, and dwelt at some length on other features of the case which I claimed put the plaintiffs in a bad light before the court. The Supreme Court affirmed the judgment of the circuit court, holding that there was no error on the trial and condemning the plaintiffs for bringing the case into that court on such insufficient grounds!

In 1870 our firm was also employed in some very important cases in western Michigan that involved the question of the constitutionality of certain railroad legislation. In 1867 or 1869 the legislature on Michigan enacted a law permitting municipalities to raise money by taxation in aid of railroads. The constitutionality of this act was called in question and certain prominent citizens and large taxpayers in Van Buren county formed an association to contest the validity of taxes voted in aid of the Kalamazoo and South Haven Railroad by a number

of the townships in that county. The success of our firm in the G.R. & I. R.R. case had given us the reputation of being good lawyers to employ in a case against a railway company and we were employed by a committee representing the association I have mentioned, to bring suits to enjoin the collection of the taxes in the townships voting the tax in aid of the railroad. I drafted the necessary bills of complaint, and as both Mr. May and I thought it best that counsel should be employed on account of the magnitude of the question and the large amounts involved in the cases, I went to Detroit and engaged Ashley Pond as counsel in the cases. This was the beginning of my acquaintance with Mr. Pond, an acquaintance that speedily ripened into friendship between us and which lasted during his life. I was associated with him in the cases I have mentioned and perhaps one or two others, and was later employed against him in a number of cases and always esteemed him one of the ablest lawyers in Michigan. He seemed to have a high regard for me as a lawyer and I was certainly much attached to him. He appeared before me only once while I was on the bench, and that was to argue a motion. But serious ill health for a number of years had then nearly quenched the fires of his mind, and my heart ached for him all the time he was speaking.

H.F. Severens was the leading counsel for the railroad in the tax cases, and while they were pending we chanced to exchange views in regard to the constitutionality of the legislation in question in our suits, when we found that in his opinion the act was unconstitutional, while I believed it to be valid. In short, each was contending for what he did not himself believe. This may seem strange, but it is neither unusual nor reprehensible for a lawyer to contend for a construction of the law which does not accord with his own views. Some years later I was employed in two cases, one in the Kalamazoo county, the other in the Calhoun county circuit court, in which the question was precisely the same and involved the construction, or rather the applica-

tion of a statute. In one case my position was diametrically opposed to my contention in the other. I argued both cases and won both of them and as the question was never passed upon by the Supreme Court of Michigan--to my recollection--I am still in doubt as to the proper construction of the act. Of course I believed in the soundness of one of my arguments and did not believe in the validity of the other. But the Supreme Court of Michigan might have disagreed with my view, and the court of last resort of another State, or the Supreme Court of the United States might have been of the same opinion that I was. All of which simply illustrates the truth that the law is far from being an exact science.

When our tax cases were begun the outlook for them was far from promising, as the question at issue had been decided by the Supreme Court of the United States and by the Supreme Court of more than twenty of the States of the Union, and in all but one or two instances the decisions had upheld the constitutionality of the legislation in question. But before our cases could be brought to a hearing, the Supreme Court of Michigan decided the Township of Salem case, reported in the 20th Michigan Reports, a majority of the court holding that the act of the legislature which we attacked in our bills was unconstitutional. After that decision the railroad company no longer contested our cases and we succeeded in them without difficulty.

But the decision of the majority of the justices of the Michigan Supreme Court in no way changed my opinion of the question, especially as the Supreme Court of the United States in a later case severely criticised the decision of the Michigan Supreme Court, holding that such decision was of no weight or effect as regarded the Federal courts of Michigan. And while I was on the bench a case came before me involving the right of the taxpayers of a municipality to vote a tax to aid in the construction of a railway. As the personnel of the Supreme Court of Michigan had wholly changed since the decision of the

Salem case, I ventured to decide the question according to my own views and in opposition to the views of the majority of the justices of the Supreme Court of Michigan in 1870. But the Supreme Court reversed my decision and criticised me for making it. This criticism, however, was wholly unwarranted and unfair and was indulged in only because the justice who wrote it had a personal dislike for me because of my having been a candidate for the office of Justice of the Supreme Court in 1895 in opposition to him. But I was content to be charged with erring in holding the same opinion as the Justices of the Supreme Court of the United States, the justices of the court of last resort in nearly every State in which the question had been passed upon, and the opinion of more than three-fourths of ~~the~~ the members of the bar of Michigan who had given the question any considerable consideration.

In 1870 our firm began to be retained by clients who were Ministers of the Gospel connected with the Methodist Episcopal Church, in cases in which they were litigants. In that year we began a suit in Van Buren county in behalf of a Methodist minister who was a circuit preacher on the Climax circuit when I was only seven or eight years old, the third minister on that circuit of whom I have any recollection. And from 1870 as long as I practiced law, there was seldom a time when I did not number some Methodist minister among my clients. In some of the cases which I tried for that class of clients I was successful, in some others that I recall I was badly defeated, but I retained those who employed me as clients, regardless of the result of their cases.

Between 1867 and the latter half of 1870 our firm had five cases decided by the Supreme Court, in every one of which, if I remember aright, the decision of that court was against us. In none of these cases did either member of the firm make an argument. Mr. May continued to be averse to making legal arguments to that court, and I had not recovered from the feeling of chagrin and mortification that I had when my first case



in the Supreme Court was decided. Still I should have disregarded the feeling of repugnance I had in regard to appearing before that court and should have argued some of the cases that were submitted by us on briefs, had there been nothing but my feelings in the way of doing so. But on various accounts it seemed to be difficult or practically impossible for me to leave my home, or our business in the circuit court, when our cases were reached for argument. But in October 1870, when one of our cases was to be heard in the Supreme Court, I went to Lansing to make an argument in the case. As we had won the case in the circuit court, the attorney for the other side, who alleged error, made the first argument. I had proceeded with my argument for perhaps fifteen minutes, and was making what I thought to be a forcible presentation of my views concerning the main question in the case, when I saw Mr. Justice Campbell, then the Chief Justice, hurriedly turn the pages of the printed record, examine one or two pages for a short time and then confer with the other justices for a moment. He then interrupted my argument, saying that the court did not care to hear any further argument in behalf of my client, as they were agreed that there was no error in the proceedings in the circuit court and that the judgment should be affirmed. And thus it happened that in the first case that I argued in the Supreme Court the case was summarily decided against me, in the second case the decision was in my favor and made in much the same way. I did not so strongly condemn the methods of the court in the latter case as I did in the former, as the manner of the justices was very different in the two cases; but I did not wholly approve of that method of hearing and deciding cases even when I could find no fault with the decision.

The financial returns for my labor in 1870 were considerably greater than they were in the preceding year and my income was correspondingly increased, being not far from five hundred dollars more than in 1869. And as I won sixteen of the twenty-two cases that I tried in justice's

court that year, and as our firm was reasonably successful in our circuit court cases, there was little apparent occasion for dissatisfaction as far as business was concerned.

But in at least one of the cases in which I was unsuccessful, my defeat came about under circumstances that were exceedingly mortifying to me. I began a suit in justice's court for a client and as the basis for the issuing of process I filed an affidavit which I copied from a form in a standard legal work. I did not then know--as I learned in that case--that the writings of even the best legal authorities cannot always be relied upon as being correct. I won the case in the lower court, but the attorney for the defendant, Arthur Brown, removed the case to the circuit court by appeal, and the Circuit Judge held that the affidavit on which the suit was based, was insufficient. This decision, I can see now, was manifestly right, but it left me in the humiliating position of having "drawn the papers wrong," always a serious accusation against a lawyer in the estimation of the populace. And whenever Arthur Brown had the good fortune to win a case in which he was opposed to me, he always took pains to make the most of it.

As 1870 was an electoral year, in which Representatives in Congress and State and County officers were chosen, I would naturally have been engaged in political work to some extent, even if I had not been a candidate for any office. In that year J.C. Burrows attempted to obtain the nomination for Representative in Congress, but was badly defeated at the Kalamazoo township republican caucus, the delegates chosen to the county convention being favorable to the renomination of Wm. L. Stoughton. This put an end to Mr. Burrows' candidacy, his name was withdrawn from consideration in the county convention and Stoughton delegates elected to the District Convention. In the contest between Stoughton and Burrows I was active in behalf of the former.

It was in regard to my candidacy for the office of Prosecuting Attorney, that 1870 was always regarded by me as a most unfortunate year;

not in my defeat, which was a matter of no serious importance, but on account of the unworthy part I played in respect to my political ambitions. Soon after J.C. Burrows was re-elected to the office of Prosecuting Attorney in 1868, it became known that he contemplated resigning the office and early in 1869 he signified to the Circuit Judge his intention to resign and, I think, placed his resignation in the hands of that official. Mr. May was desirous that I should have the office and secured the signatures of a number of prominent citizens of the county to a petition asking for my appointment. This petition was shown to Judge Littlejohn, who, though making no promises, signified his intention to appoint me. But when this came to the ears of Mr. Burrows he withdrew his resignation, in order to prevent my appointment, and there the matter stood until Judge Littlejohn had been succeeded by Judge Brown when Burrows again presented his resignation. Of course my appointment was out of the question and the office was given to Charles W. Thompson, who had been a member of the convention by which Brown was nominated, Thompson in this acting in direct opposition to the wishes of the bar.

When the campaign for the nomination and election of county officers in 1870 was approaching, the question arose between Mr. May and myself whether I should be a candidate against Thompson for the nomination for Prosecuting Attorney. We agreed that it would not be wise for me to enter the field as, by political usage, the incumbent would be entitled to a renomination for a second term. Mr. May then suggested that we have an understanding with Mr. Thompson to that effect, and to that I assented. Mr. Thompson was then called into our office and an understanding was then and there entered into that I should not be a candidate for the office before the coming county convention.

But the people of the county were greatly dissatisfied with the appointment of Mr. Thompson. He was not regarded as being a very good lawyer, and while not inefficient was not strong in the

presentation of his side of a case to a court or jury; and it was generally thought that the appointment ought not to have gone to him as long as it was understood that I was willing to take the office if tendered to me.

And it so happened that Thompson was unfortunate in the first criminal case which he tried in the circuit court as Prosecuting Attorney. The respondent in that case was brought into court to be placed on trial for forgery. As he had no money and no friends, Judge Brown assigned me to act as his attorney. I had no time to confer with my client and learned the facts from the opening statement by the prosecuting attorney after the jury had been sworn. The respondent was a section hand on a railway. The section foreman had made an agreement with the proprietress of the house at which the section hands boarded, that none of them should be paid on pay-day except upon presentation of a statement from this boarding-house keeper that the board of the section hand had been paid. The respondent forged such a statement and received his pay, when in fact his board had not been paid. Respondent was arrested for the forgery and to all human appearance his conviction was certain. But in the progress of the testimony for the People it flashed upon me that there was a possible chance to secure respondent's acquittal. So, while making a pretence of contesting the claimed facts of the case, I quietly asked both the section foreman and the boarding-house keeper, on cross-examination, whether respondent was present when the arrangement was made between them respecting the pay of the hands, or assented to it at any time or in any way, and both replied in the negative. That sufficed for my purposes, and when the prosecutor closed his testimony, I offered none for the respondent, but called the attention of the court to the fact that under the law and the undisputed facts in the case the respondent could not be convicted. I argued the matter at some length, quoting Blackstone's definition of forgery (which, thanks to my early legal study, I had at my tongue's end) "Forgery is the fraudu-



lent making or alteration of a writing to the prejudice of another man's right,"and then argued that the act of the respondent lacked one of the essential elements of the crime charged, namely,that it did not prejudice any one's legal right. That the boarding-house keeper had no right to any part of respondent's wages without his consent and that the railroad company had no right to withhold any part of them without his assent,and that the false paper presented by him was merely a means of obtaining what was his own and to which he had an unquestionable right. Of course I had had no time to find any authority on the question,but my reasoning was unanswered and unanswerable,and Judge Brown,with manifest and expressed dissatisfaction,had to accede to my contention and the respondent was discharged.

The Attorney General,Dwight May,sat in the court room during the latter part of the trial and assisted the public prosecutor as much as he could without taking part in the prosecution. At the close of the trial he fiercely assailed the position I took for the defense and asked me if the outcome of the trial was "a Methodist scheme" between the Judge and myself(as Judge Brown was a prominent Methodist) and received from me the good-natured suggestion that he repair to his office and read his law-books and he would be wiser. A day or two afterwards he met me and said that I was right in my contention in the case;that he had examined the question and found that my position was abundantly sustained by authority.

Naturally my success in the case tended to enhance my reputation as a lawyer,but while Mr. Thompson could not justly be blamed for the result,he was severely criticized on account of it. As the matter was generally considered,a man who was manifestly guilty of a serious crime was allowed to go unpunished because I was a better and a "sharper" lawyer than the public prosecutor;"sharper",in common parlance,meaning brighter and keener. And this was only added proof that I and not Thompson should have been appointed to the office. This dissatisfaction

rapidly increased and in a short time many republicans and some democrats began to importune me to become a candidate for the office at the election to be held in November of that year. But I declined to consider these requests, feeling that my word had been pledged to Mr. Thompson and that I could not honorably break it. Those who had urged me to become a candidate then appealed to Mr. May to induce me to stand for the office. At first he was disposed to think that I was right in refusing to be a candidate, but after a time he was approached by a member of the legislature who was a prominent republican leader in a considerable part of the county, who strongly insisted that I should become a candidate, stating to Mr. May that if I refused the nomination it would not go to Mr. Thompson but to Robert F. Hill, who was an avowed candidate for the nomination. I will say, in passing, and as an illustration of the little dependence that can be placed on most politicians, that the legislator referred to made no effort to bring a single delegate to the convention for me, and that all the delegates from his township voted for Thompson.

But Mr. May became alarmed by the statement of the legislator and politician I have referred to and insisted that I must accept the nomination which it then seemed could be had without asking for it. I was exceedingly reluctant to do so, but my refusal would have resulted in a serious disagreement between my partner and myself as Mr. May very much wished me to have the office on account of the added strength and prestige it would give the firm, and he was unwilling that I should be kept out of the office for four years, as would be the case if Mr. Hill or any one except Mr. Thompson should receive the nomination. I have blamed myself ever since that time that I did not have sufficient stamina to adhere to my resolution not to be a candidate. But my dread of a break with Mr. May and of the loss of the advantages of my partnership with him, led me to cease my opposition to being a candidate and to allow matters to take their course. After a

time I even put forth some efforts to secure the nomination.

But as soon as it became known that I was a candidate for the nomination, the republican politicians of the Burrows faction became interested. Judge Brown openly espoused Thompson's cause in order to justify his appointment, and the political friends of J.C. Burrows became active in Thompson's behalf, as it was foreseen that in 1872 there would be a contest between May and Burrows for congressional honors, and it was not thought best by them to allow the former the advantage of having his partner in the office of Prosecuting Attorney. Arthur Brown had, up to this time, always been friendly to Charles S. May, and to me. But he had been a candidate for the nomination for Prosecuting Attorney in 1866 and for the appointment in 1869, and still was very anxious to obtain the office. He therefore became greatly incensed at both Mr. May and me when I became a candidate. He became himself ostensibly a candidate, but this movement was really in Thompson's interest and for the purpose of securing as many delegates for Brown as possible and then throwing their votes to Thompson at the proper time.

The result of the Kalamazoo township republican caucus settled nothing as between the rival candidates for Prosecuting Attorney, as the delegates to the county convention were chosen solely in respect to the office of Sheriff. My friends and I were satisfied with the men chosen and I ought to have received the vote of every one of them; but ever after the convention I was satisfied that nearly half of their votes were given to Thompson. In the convention the result of the first ballot was 33 votes for Thompson, 29 for me, 13 for Brown and 4 for Hill. On the second ballot Thompson received 35 votes, I received 33, and Brown 9, and on the final ballot Thompson received 6 of the votes that had been given to Brown, giving Thompson 41 votes and the nomination; while of the votes that had been given to Brown I received but 3, making the total for me 36. Immediately after the result of the final

ballot had been declared I was re-nominated for the office of Circuit Court Commissioner by acclamation.

I have no record of the votes cast in the county of Kalamazoo at the general election in 1870. In the township of Kalamazoo my majority over my democratic competitor was 265. The total vote given ~~me~~ in the township for the republican candidate for Governor was 897, I received 905.

I took no part in the political campaign of 1870 and made no speeches. Nor do I remember making any speeches of any sort on any occasion during that year. But at our regimental re-union in November, 1870, it would appear--from a published account which I have of that event--that I responded to the toast, "Our Fifth Annual Re-union," but I have no recollection of the fact. I do remember the re-union and the part I took in the selection of officers for the following year, which I will state with exceeding brevity, as the subject naturally belongs with my army experience. During my service in the army my relations with Col. Cutcheon had been quite unfriendly, as were the relations of many of the officers and most of the enlisted men of the regiment with him. On that account he had never been invited to deliver the address at any of our re-unions or to take a part of any prominence in the affairs of the regimental association. But at the 1870 re-union I moved the appointment of the usual committee to nominate officers of the association for the ensuing year, and was named as chairman of the committee and proposed to the committee that Col. Cutcheon be appointed to deliver the address at the next re-union. This proposal was at first strongly opposed by the rest of the committee, but after some discussion they were led to adopt my views and the name of Col. Cutcheon was reported by the committee as Orator at the next re-union. This was a surprise to the members of the regiment, and some dissatisfaction was felt, but the report of the committee was adopted without discussion. Col. Cutcheon was at that time in Kal-



amazoo, engaged in the trial of a case from Manistee county. After my return from the re-union he learned from others of the action of the regiment and of my part in it and at once called on me to inquire into the matter further as he was much surprised, not only at what had been done but on account of my action in the matter. This led to a full and frank talk between us and a complete reconciliation, and thereafter as long as he lived we were cordial friends.

I continued my reading of legal text-books in 1870, and in general reading I read, or studied, the whole of Shakespeare's works. In church work I was active as an official member, Superintendent of the Sunday School and President of the Young People's Home Mission Society. It was at a meeting of that Society, held January 8, 1870 that I read a paper on "Spiritual Culture" which I think, is preserved somewhere among my writings.

The more noted lecturers who were heard by me in 1870 were Olive Logan, Anna Dickinson, Fred. Douglass, Charles Sumner and Elizabeth Cady Stanton. Of actors, I saw Edwin Forrest in "Richlieu." In my opinion Forrest was in no way inferior to Edwin Booth as a tragedian, judging from the little that I saw of the work of each. In their acting the two seemed to me to be essentially different. Forrest was like a cataract, a thunder-storm, a tornado; Booth like a gently-flowing stream, a summer shower, "the sweet south wind." In Richlieu, in the scene in which the cardinal withstands and defies the minions of the king, the audience fairly turned pale and cringed in their seats in apprehension lest "the curse of Rome" might fall upon them. There is nothing in Hamlet--in which I later heard Booth--that admits of anything like the acting of Forrest in Richlieu. In Hamlet, Booth did not merely "hold the mirror up to nature" and show its reflection, he presented nature itself.

I also heard Clara Louise Kellogg in concert, in which she gave liberal portions from operas in which she was a star, including a large portion of the part of Marguerite from Faust.

In the latter part of 1870 I took part in the presentation of "The Union Spy," a war drama, given by local talent, assisted by a non-resident director who staged the performances and took the greater part of the profits. The part which I took was that of Gen. Rawlins, Adjutant-General on the staff of Gen. Grant, which called for only a fine uniform and a very little easy acting, I having the center of the stage for not more than five minutes in one scene.

I have reserved to the last the mention of the most sad event of the year, the death of our first child, Percy Bradford, who was born on the tenth of April and died on the eighth of August.

The year eighteen hundred and seventy-one was marked by the happening of a number of important events in my life, perhaps more important than have occurred in any other year of my life, for the reason that I had then reached a stage in my profession and in my political career when a decided step forward would give that assurance of succeeding which would bring success; while to stand still or retrograde would, very likely, mean obscurity. I was then, as I have always been, to a certain extent, of a shrinking, retiring, self-distrustful nature, and needed all the help that fortunate events could give me in order to encourage me to strive for success in my profession and in politics; while a number of serious mishaps might have sent me to a place near the rear in the ranks of those who desired professional success or political honors.

From a business point of view 1871 was very much like 1870. I had not quite so many cases in justice's court, for the evident reason that my time was more fully occupied with more important matters. Indeed, I think that from 1870 my justice's court practice declined somewhat rapidly until I practically ceased altogether to attend to cases in that court. In the circuit court, however, we began a considerable number of cases in excess of those commenced in 1870. The cash receipts of the firm in 1871 were only about one hundred dollars more than in 1870, but the business done amounted to over five hundred

dollars more than in 1870. And my personal income in 1871 was a little more than eighteen hundred dollars as against less than fifteen hundred dollars in 1870.

Probably the most important case in which the firm was engaged in 1871 was that known as "the Patterson Will Case," the contest being over the validity of the will of one Thomas Patterson, a large amount of property being involved in the case. The attorneys originally employed by the parties were of very moderate ability, but when the case was taken to the circuit court on appeal from the order of the Probate Court admitting the will to probate, Mr. Severens was employed for the proponents. On the first trial in the circuit court the case was not very ably defended and a verdict was rendered for the proponent, upholding the validity of the will. The case was taken to the Supreme Court and the ~~judge~~ judgment reversed and the case remanded for a new trial. My impression is that Edwards and Sherwood were engaged for the contestant before the case was taken to the Supreme Court. But we were not employed in the case until after it had been remanded to the circuit court for a new trial. Mr. Hughes was employed for the proponent at about the same time that our firm was engaged for the contestant. So that on the second trial William Fletcher (the attorney originally employed) acted as attorney, with H.F. Severens and D. Darwin Hughes as counsel for the proponent, Nancy McGinnis, a sister of the testator, while Edwards and Sherwood were the attorneys, with Mr. May and myself of counsel for the contestant, Mrs. Kempsey, another sister of deceased, Thomas W. Havens, the attorney at first engaged for the contestant, having dropped out of the case. The case was one in which great interest was manifested by the people residing in the western part of Kalamazoo county and the court room was thronged with spectators during the whole of the trial which took place early in the year and occupied many days. The part assigned to me was to argue to the court all the legal questions arising in the case--chiefly those re-

lating to questions of the admissibility of evidence offered in the case--and to draft, present to the court and argue the requests to charge the jury. This part of the work of the trial was almost invariably taken by me in all the cases in which I took part in the trial. And in this particular case the part assigned me brought me into prominence at every stage of the trial and enabled me to discuss questions calling for no small amount of legal learning--the questions of mental capacity to make a will (involving a great deal of what is known in the law as medical jurisprudence) and also the question of undue influence, both these questions being involved in the case. Arguments of that nature --if well made--could hardly fail to impress the spectators and the jury as well as the court, and I had, both at the time and afterwards, reason to think that I gained much in the estimation of the public as well as of the bar by the way in which I conducted my part of the trial. The verdict of the jury was for the contestant--against the validity of the will. The case was appealed to the Supreme Court and argued by Mr. Severens and Mr. Hughes for the proponent, and by Mr. Sherwood and myself for the contestant. The Supreme Court decided the case in our favor, affirming the judgment, which was an endorsement of my views concerning the law of the case, for which I had successfully contended in the lower court. But the argument of the case in the Supreme Court did not take place until after 1871, as I argued no cases in the Supreme Court that year.

The Kalamazoo Telegraph had this to say of the conclusion of the trial:

"The trial of the Patterson will case was concluded yesterday. The case was probably the most important civil cause ever tried in this county, not only on account of the large amount of property involved, but also on account of the character of the testimony, the close and able manner in which it was tried, and the great public interest which it excited. The facts in the case were briefly these: Patterson, the testa-



tor, died in December, 1865, of pleuro-pneumonia, after an illness of only a few days, the will being made the day before his death. The main question was as to his mental soundness when the will was made. The legatees and executor named in the will, the conveyancer who drafted it and the family physician who attended Patterson, sixteen witnesses in all, testified that he was apparently of sound mind when the will was made. On the other hand a large number of physicians testified that from the symptoms observed by the family physician, the progress of the disease was such at the time the will was made, that Patterson could not have been of sound mind. The counsel engaged in the trial were as heretofore stated: for the will, Wm. Fletcher, Esq. attorney, and D. Darwin Hughes and H. F. Severens of counsel; and against the will, Edwards & Sherwood, attorneys, and Charles S. May and Geo. M. Buck, of counsel. The argument occupied the entire day on Wednesday, the closing argument for the will being made by Hon. D. D. Hughes, and against the will by Hon. C. S. May. The jury, after being out nearly nine hours, returned a verdict against the will."

My defeat for the nomination for Prosecuting Attorney in 1870 did not diminish either my interest in politics or my political activities. In February, 1871, hearing that Col. Claudius B. Grant, of Ann Arbor, would be a candidate for the nomination for the office of Regent of the Michigan University, I attended the Kalamazoo township republican caucus and was the first of the five delegates chosen to represent the township in the county convention. In the convention I was made chairman of the only committee appointed--the committee on credentials. As the relations between Col. Grant and myself at the close of the war were even more friendly than my relations with Col. Cutcheon were unfriendly, I introduced in the convention the following resolution:

"Resolved, that we concede the justice of the claim that one of the regents of our State University should be a resident of Ann Arbor, and

recognize the ability and fitness of Col. C.B. Grant for that position and instruct the delegates from this county to use all proper means to secure his nomination."

No one in the convention except myself knew anything of Col. Grant and very few, if any, had ever heard of him; but the fact that I introduced the resolution was, to the delegates, a sufficient guarantee that it was all right, and it was adopted without question and without a dissenting voice. I could have been chosen a delegate to the State Convention had I so wished, but I did not. The action of the Kalamazoo county convention was noted in the newspapers throughout the State, and tended to create a public sentiment for Col. Grant for the office named. He was nominated by the State convention and elected, was afterwards for many years Circuit Judge in the Upper Peninsula, and later one of the Justices of the Supreme Court of Michigan. And he has never seemed to forget the service I rendered him at the beginning of his political career.

But the chief political event, to me, in 1871, was the one which gives this chapter its title. Charles A. Thompson died early in June, 1871. Judge Brown was quite reluctant to appoint me to the office, because of my being a partner and a political friend of Charles S. May, while Judge Brown was a strong friend of J.C. Burrows, and Burrows was much opposed to my appointment. Arthur Brown, R.F. Hill, and one or two others were candidates for the place and put forth all reasonable efforts to obtain it. Arthur Brown was an open friend of J.C. Burrows, but Judge Brown hesitated to give the position to Arthur Brown--not because he was lacking in ability, but because he was generally regarded as wanting in moral principle. I put forth no personal effort to secure the office and Mr. May was not in a position to ask Judge Brown to appoint me, or to do anything in my behalf. But while Judge Brown was hesitating over the matter, the demand of leading republicans and others throughout the county for my appointment became insistent and finally, without my suggestion or knowledge, one

of the Supervisors who was a good friend of mine prepared a petition asking my appointment and obtained the signature of every member of the Board, without regard to party. Judge Brown was anxious to be on good terms with the Supervisors, and when the petition was presented to him he said, "That settles it," and sent for me and announced his intention of giving me the appointment. He asked of me no promises but intimated to me that he hoped that I would not be too active in the contest that was coming off in the following year. I was appointed June 17, 1871, and took the oath of office the same day. By law I was entitled to the salary of the office for the remaining part of the month after Capt. Thompson's death, but I voluntarily gave his widow an order on the County Treasurer for the entire amount of the salary for the month of June, which seemed to create a good impression among the county officials and Capt. Thompson's friends.

Of my appointment, the Kalamazoo Telegraph said editorially:

"The death of Captain Thompson a second time imposed upon Judge Brown the duty of appointing a Prosecuting Attorney as provided by law when that office becomes vacant by death or otherwise. He has filled the vacancy by appointing to that office George M. Buck, Esq. one of the most promising of the younger practitioners at the bar. Mr. Buck is well qualified for the position, having already attained a high and honorable position in the profession, and will bring to the discharge of the duties of the office rare faithfulness and sterling ability."

The Schoolcraft Dispatch made this comment:

"George M. Buck, Esq. has been appointed Prosecuting Attorney in the place made vacant by the death of the lamented Chas. A. Thompson. The appointment was just, as Mr. B. is a gentleman of talent and integrity and will fill the place with ability and the approval of all."

The Detroit Tribune made the following mention of the fact:

"Geo. M. Buck has been appointed Prosecuting At-

torney for the unexpired term made vacant by the death of Chas. A. Thompson. Mr. Buck is well qualified for the place. His appointment meets with general approval. Judge Brown made the appointment on the recommendation of the Supervisors."

My administration of the office, which I held for a little more than three and a half years, was not marked by any brilliant success, nor was it noted for any serious failure. In looking back upon it now, I can see that the office might have been and ought to have been better administered; but in most regards my work was at least fairly good. In one respect at least I did not do as well as I might have done--I was inclined to be over-zealous and over-active in the prosecution of persons accused of crime. In several cases I authorized the institution of criminal proceedings when it would have been better if it had not been done. But I was probably led to take the course I did in some of these cases by the fact that the Sheriff of Kalamazoo county at that time was very friendly to me (and continued to be so as long as he lived) and was anxious for all the criminal business that could be done legitimately, and always seemed to feel aggrieved and injured when any one wished to make a criminal complaint and it was not permitted.

I cannot remember when it was that I began to receive one third instead of one fourth of the net receipts of the business of the firm, but it must have been as early as 1870. The assumption of the duties of the office of Prosecuting Attorney by me made it necessary that there should be some modification of the terms of the financial arrangement between Mr. May and myself, as much of my time would be taken up with looking after the interests of the People, and the firm would be debarred from undertaking the defence in criminal cases. I proposed to Mr. May that, to make up for these losses, I should pay half the salary I received into the treasury of the firm, the same as if it had been received for business done by the firm, and to that arrangement he readily consented. The salary of the office at



that time was only one thousand dollars per annum.

And this statement of the re-adjustment of the financial agreement between Mr. May and myself, leads me to mention that during the time that Mr May and I were in partnership I kept the books of the firm, received the money paid for our services, deposited it in the bank to the credit of the firm and at the end of the month gave to Mr. May, in cash, his share of the proceeds of the business of the firm during the month.

At the time of his death, Charles A. Thompson was holding the office of United States Commissioner for the Western District of Michigan. Not long after Mr. Thompson's death the United States Marshal for the District mentioned, James Henry, of Kalamazoo, saw me and asked if I would take the office of United States Commissioner. I replied that I would. Mr. Henry said that he was going to Grand Rapids in a few days and would speak to the Judge--Hon. Solomon L. Withey, of Grand Rapids--about it. I was appointed about the third day of July, 1871, and soon afterwards took the oath of office. So that during the remainder of the year 1871 I was holding three offices--Prosecuting Attorney of Kalamazoo county, Circuit Court Commissioner of Kalamazoo county, and United States Commissioner for the Western District of Michigan. The second named office I resigned at about the close of 1871 or early in 1872; the last named I continued to hold until after my election as Judge of Probate.

The Kalamazoo Telegraph had this to say of my appointment as United States Commissioner:

"We are pleased to learn that Geo. M. Buck, Esq., lately appointed Prosecuting Attorney by Judge Brown, has been appointed one of the U.S. Commissioners for the Western District of Michigan. The appointment \* \* \* is a good one, and we have no doubt will give general satisfaction."

In matters apart from the law and politics, I was as busily engaged as ever in 1871. I continued my course of general reading and study, and heard lectures by Wendell Phillips, John B.

Gough, Anna E. Dickinson, General Kilpatrick and Carl Schurz. In soldier matters, the Grand Army of the Republic having ceased its activities throughout Michigan, I assisted in the organization of the "Kalamazoo Soldiers' Memorial Association," an organization designed to provide for the proper observance of Memorial Day, and was elected its secretary in May, 1871. In religious matters I was chosen President of the Kalamazoo District Sunday School Institute of the Methodist Church at a meeting at which I was not present, but was present at and presided over a meeting of the Institute at Three Rivers in December, 1871, was re-elected President and made an address at the children's meeting. An account of this meeting may be found on pages 40 and 41 of "Personal Mention," Vol. I.

I was also re-elected a member of the Executive Committee of the Kalamazoo County Sunday School Association.

In October, 1871, we purchased a house and lot on the south side of Vine street in Kalamazoo, as has been mentioned, but we did not take possession until in April, 1872.

The year eighteen hundred and seventy-two was in many respects a different year from 1871, so far as my work and welfare were concerned. Mr. May paid very little attention to business at any time during the year, owing to the fact that in the first half of the year his time was almost wholly occupied in attending to his political interests, and his defeat and a severe illness which followed so affected him that he seemed to have little heart or care for anything or any energy to bestow on the work of the office or in court. And this neglect of and indifference to business, naturally caused suitors to engage other attorneys to transact their business, resulting in a great falling off of the business of the firm from what it had been in 1871.

In 1872 (I gather from a record kept by me) I tried only thirteen cases in justice's court, and in nearly or quite every case the client engaged the firm on my account, being wholly indifferent

as to the senior member of the firm. Of the thirteen cases I won seven and lost four and in two the jury disagreed and the differences between the parties were settled on terms satisfactory to my client. In only two of the thirteen cases was there anything especially noteworthy. In one case the suit was brought by Brown & Thomas of Battle Creek, for their client, before a justice at Climax. I was engaged by the defendant. Brown was a good lawyer, but, in my judgment, not the equal of his partner, Charles E. Thomas, whose mother was my father's second wife. I did not call for a jury in the case, as I knew the justice to be both intelligent and conscientious. Thomas tried the case for the plaintiff and tried it well; but the right of the case was so manifestly with my client that the justice gave judgment for the defendant. It was quite late in the evening when the case was concluded, and Thomas urged me to go home by way of Battle Creek, offering to pass me over the railroad to Battle Creek, as he was one of the attorneys for the road. But I could gain a little time by going to Galesburg and taking a train there, so--if I remember aright--I walked from Climax to Galesburg, a distance of about seven miles. A few weeks later Brown & Thomas brought another suit before another justice near Climax, this suit being by the owner of a farm against his tenant, to recover possession of the farm, the case being almost identical with the Covell case which I had tried before the same justice nearly two years before. But this time my position was changed, as I was employed by the defendant. In this suit Brown appeared to try the case for the complainant and before the trial began he took occasion to say to me, "I shouldn't have let Charley try that case in which you beat him the other day. I ought to have tried it myself. I never am beat when I try a case in the country." I made no reply to this, but called for a jury in the case and was pleased to note that the list contained the names of a number of my friends and former schoolmates. I knew that it would be a hard case to defend before a jury of farmers

who knew good farming when they saw it or heard it described, as there was much reason to claim--as the complainant did--that my client had not farmed the land "in a good and husband-like manner" as his contract and the law required. But from the beginning of the trial I played "the poor tenant" against "the grasping landlord" and in my argument to the jury I pictured the "white-haired old man"--my client--toiling all day under a burning sun and faithfully rendering to the landlord his full share of the crops, (on that point there was no controversy) and I then drew another picture of the same "white-haired old man" homeless and shelterless, (should the verdict be against him) wandering about in the cold and snow of the approaching winter. The jury rendered a verdict for the defendant. Brown was disgusted and angry at being thus beaten, after all his boasting, in a much more promising case than the one in which his partner had been defeated only a short time before.

The trial of the case lasted until after midnight, and at its conclusion I again walked to Galesburg, in the midst of a driving snow-storm, in order to be at my work on the following morning.

From what I have written of Mr. May's neglect of the business of the firm in 1872, it is not hard to understand why the number of our cases in the circuit court fell off from fifty in 1871 to thirty-six in 1872. And the falling off in receipts was correspondingly great, being between eleven hundred dollars and twelve hundred dollars difference in the receipts of the two years. I tried many cases in the circuit court in 1872, but a large proportion of them were criminal cases. If I remember correctly Mr. May assisted in the trial of not more than two or three civil cases in that year.

In politics 1872 was a busy and eventful year for me. The long-expected contest between Mr. May and J.C. Burrows for congressional honors took place and resulted in a victory for the latter. I shall not consume the time and take the space necessary to tell in detail how it



happened. It will be enough to say that it was not by the free, unprejudiced will of the voters, but by political combinations and the use of a large amount of money in the purchase of votes. In managing Mr. Burrows campaign, Arthur Brown was exceedingly active, and after Burrows' election Brown wished to be rewarded by being given the office of United States District Attorney, as my election to the office of Prosecuting Attorney had destroyed all his hopes in that direction. But although Mr. Burrows endeavored to secure for Brown the office he desired, neither the Senators from Michigan nor the Department of Justice at Washington, could be persuaded to favor Brown's appointment. He was a United States Senator from Utah for a very short time, because neither his principles nor his practices were out of harmony with those of the Mormon church. But in Michigan he could never have been elected or appointed to any official position.

Mr. May took his defeat so much to heart that he became seriously ill and for a time his life was despaired of, but he measurably recovered after a few weeks. His subsequent political changes, ambitions and disappointments have, I think, been briefly recounted in an earlier part of this narrative.

When Mr. May abandoned the Republican party and joined the Greeley movement, many expected that I would accompany him; but I did nothing of the kind. I was dissatisfied with the administration, and knew that there was a great deal of corruption in high places for which the party was responsible, but I believed that whatever evils existed in the Republican party could be better corrected within the party than without it. And I have ever since acted on that principle.

By political usage I was entitled to be renominated for the office of Prosecuting Attorney in 1872, and as I had performed the duties of the office with at least fair ability and faithfulness the renomination should have been given to me without question or opposition. And this was the sentiment of the great mass of the republi-

cans of the county. But a lawyer named Rufus P. Edson, who had been an active supporter of Burrows as against May, conceived the idea that he would like the office of Prosecuting Attorney, and went up and down through the county, asking for support for the office, claiming that as I had supported May while he had worked for Burrows, he should be given the office as a reward for his services in behalf of the successful candidate, and also claiming that I was a supporter of Greeley (which was false) and in proof of that assertion stated that I had attended the Democratic National Convention at Baltimore, in July, (which was true). He succeeded in getting the delegates from three townships in the southwestern part of the county, where some of the republicans were personally as well as politically hostile to me and were followers of Arthur Brown, but the greater number of republicans throughout the county who were supporters of Burrows were also my friends. I paid no attention to the canvass and made no effort to secure delegates who would be favorable to me, and did absolutely nothing in my own behalf until the day of the nominating convention, when I took occasion to talk with some of the delegates to the convention, as was expected of me as well as of all the candidates for any office. The convention was held on the 24th of August, 1872, and the ticket nominated was largely composed of those who had been friends of Charles S. May as against J.C. Burrows, and this in spite of the efforts of some of Burrows' friends to reward Burrows men with the county offices. The only ballot for Prosecuting Attorney gave me sixty-four votes to fifteen for Edson. Immediately after the convention Edson left the republican and joined the Greeley party and was a supporter of the democratic party as long as he remained in Kalamazoo.

The Kalamazoo Telegraph had this to say of my nomination:

"George M. Buck, the nominee for Prosecuting Attorney, has held the office for over a year, having been appointed to succeed the late Capt.

Thompson, who was elected to the office two years ago. Mr. Buck ranks high in the bar of this circuit for his legal attainments and diligence. He has served very acceptably during the time he has held the office, and no one will question his fitness for the place. His name adds strength to the ticket."

I took little part in the political campaign of 1872. I made a few speeches in Kalamazoo county and one in Van Buren county, and those are all that I remember making during the campaign. I made no effort to increase my vote at the election, not deeming it necessary. My antagonist was Robert F. Hill, who had left the republicans and joined the democrats after his defeat for the nomination for Prosecuting Attorney in 1870 and his failure to receive the appointment in 1871. My majority in the county was five hundred and eighty-five, and the votes cast for me were 4052, a larger number than were given for any other of the candidates, except the candidates for County Clerk and Register of Deeds, both of whom were personally very popular and took much pains to secure as large a vote as possible.

In 1872 I had my first experience in presiding over the Circuit Court. Early in March, Judge Brown, being desirous of being away on business for a short time, appointed me--with the consent of the attorneys--to preside in his place through a trial that lasted several days and resulted in a disagreement of the jury. The Kalamazoo Telegraph, in reporting the court proceedings, March 9, 1872, said: "Judge Buck bears his honors easily and presides with the dignity of a veteran."

My law reading during 1872 embraced little besides the reports of the decisions of cases by the Supreme Court of Michigan, which I made a practice of reading as fast as issued, during all the time I was at the bar or on the bench. My general reading was chiefly of things I had previously read and wished to re-read, like Rollin's Ancient History.

It would not be possible for me to mention in this narrative all that I have written for the press, as much--probably the greater part--has not been preserved. Of the things written for the newspapers in 1872, I have preserved two--"Leap-Years," called forth by an error in some published article, and the report of a sermon by Rev. Samuel N. Griffith, entitled "The New Minister."

I do not remember attending any important lectures in 1872, but do remember two fine musical entertainments--one by Ole Bull, one of the best, if not the very best violinist who ever lived, and a concert by Adelaide Phillips. As was always my habit, I interested myself in many things aside from the law and politics. Although I had no microscope, I became a member of a microscopical society which had weekly meetings for the study of microscopy, especially as related to biology. I was also one of the prime movers in the organization, under the laws of the State, of a military company known as "The Kalamazoo Light Guard," in which I served during the whole term of my enlistment--six years--as a private, as I did not want to spare the time required of a commissioned officer, nor would I have the work and annoyance that falls to the lot of a non-commissioned officer.

My financial affairs during 1872 were neither very prosperous nor especially bad. The falling off in the receipts of the firm diminished my income from that source by a few hundreds of dollars, but after the middle of the year I declined longer to share any part of my salary with Mr. May, so my income was increased somewhat from that source. Mr. May was greatly displeased with my action in taking the whole of my salary, and this disagreement between us was one of the things that led to the dissolution of our partnership two years later. But as I was then obtaining the major part of the business of the firm and was doing the major part of the work, and was receiving only one third of the money collected from our clients, I did not think it inequitable that I should have all that was paid to me outside of the firm business. I have



since then had some doubts whether I was entirely right in this, and have blamed myself somewhat for not being as tactful in announcing the change as I ought to have been, but on the whole I cannot condemn myself very severely for what I did in the matter. Mr. May intimated that he might then ask a dissolution of our partnership, but on that point I was rather indifferent, as it had then recently been suggested by a close friend of J.C. Burrows that I dissolve my partnership with Mr. May and form one with Mr. Burrows, and I knew that this suggestion must have come from Mr. Burrows himself. But I did not give any heed to it, as I did not wish to leave Mr. May at the ebb tide of his business and political fortunes if he wished me to stay with him.

My income in 1872 was derived from the following sources: From business, \$656.94; Salary, \$750.00; Circuit Court Commissioner's fees, \$58.50 U.S. Commissioner's fees, \$176.70; Rent, \$49.00; Other sources, \$78.50; Total, \$1769.64. But our household expenses, like those of most young people, before they have learned to economize, were somewhat larger than they should have been under the circumstances, amounting to \$1183.21. I paid on the purchase of our home and other indebtedness, \$300.00, I also paid for repairs and improvements on the house, \$300.00; a trip which we made to Washington cost \$104.50; and my participation in politics that year cost me \$90.00; making a total of \$1977.71, or \$208.71 in excess of our income.

The trip to Washington referred to above was an exceedingly happy diversion which we took in the month of July, 1872. It came about quite unexpectedly and almost accidentally. I went to my office one morning intending to take up an important matter of legal business which would occupy several days. But it so happened that the matter was postponed, leaving me with nothing that would imperatively require my attention for several weeks. Passing by a bulletin-board outside the door of a dealer in railway tickets, I observed the low rates at which tickets were

on sale to Baltimore and return, on account of the National Democratic Convention, which was called for July 9th. I at once went home and it was speedily arranged that we should start for Baltimore on the following morning. That evening I saw Dr. Pratt of Kalamazoo and E.O. Briggs of Paw Paw,--delegates to the convention--and arranged with them that we should buy our tickets over the Baltimore and Ohio Railroad and that they should buy theirs over the Pennsylvania railway, and that we should exchange tickets at Baltimore. We left Kalamazoo in the morning of July 6, by the Michigan Southern Railway, and went by way of Elkhart, Kendallville, Toledo and Monroeville to Newark, O., where we remained over night and during part of Sunday; then to Wheeling where we stayed over night; then through Grafton, Piedmont and Cumberland to Harper's Ferry, where we stayed over night; then to Baltimore where we saw the convention in session--from a box in Ford's theatre--for one day. The convention was an interesting body of men, a large number of its members, like Gov. Hoffman of N.Y., being men of national reputation. The temporary chairman, was Thomas Jefferson Randolph of Virginia, (who bore a striking resemblance to his grandfather, Thomas Jefferson) and the permanent chairman was James R. Doolittle of Wisconsin, a most estimable man in his private life, an able and eminent lawyer, a United States Senator, and a member of President Johnson's cabinet. Some years later I heard Doolittle argue a matter in court and he impressed me as being one of the greatest lawyers I had ever heard.

From Baltimore we went to Washington where we remained for several days, giving all our time to sight-seeing from early morning until late at night in the city and Mt. Vernon, and then returned home by way of Baltimore, Harrisburg, Pittsburg and Fort Wayne.

The course of my life in eighteen hundred and seventy-three was so closely along the same lines that it followed in eighteen hundred and seventy-two--except in political ways--that little can be said of it. In my profession I was

steadily, though not rapidly, advancing, and was no longer regarded as a "promising young lawyer," but as one well established in the profession and with sufficient learning and ability to be worthy of confidence. My work as Prosecuting Attorney tended to bring me more and more under the observation of the public, and the verdict of the public as to the manner in which I performed my duties, was almost universally favorable. And I also attracted no little attention by the way in which I managed our civil cases. I began to hear of people quoting what "Old George Buck" said in the course of cases I had tried. It should be explained that the term "old", when applied by country people to a lawyer, did not mean aged but was a term implying respect and admiration. These quotations from remarks made by me during the trial of a case or in my argument to the jury, were not always accurate, but they tended to show the interest which some people took in what I said as well as in what I did. One instance of this sort is given here, not because it was of any importance, but because, as it occurred, was exceedingly comical.

At about the time of which I am writing (although I am not certain in what year it occurred) I was engaged in the trial of a case in the circuit court on the 21st of February. At the close of the day the court was adjourned until the following morning. I thought at the time that this was an oversight, but was not sure of it, so said nothing. The next morning I called the attention of the court to the fact that February 22nd. was a legal holiday. The Judge questioned this until I called his attention to an act of the legislature of Michigan, then recently passed, amending the statute as to holidays. On consulting the act Judge Brown, with an expression of some vexation that the day was "dies non," in common legal parlance, ordered an adjournment of the court to the next judicial day. A day or two after this occurrence, I chanced to encounter a group of men on the street, one of whom, a juror attending that term

of court, stopped me. What follows is in the language of the juror, as nearly as I can recall it.

"I was just starting to tell these fellows what happened in court the other morning. Every body was there ready to begin, when this chap [referring to me] picked up a book off from the table and said: 'Now, your honor, I propose to learn you a little law.' He read in the book that the Judge didn't know the law or he wouldn't have tried to have court that day. The Judge wouldn't believe it was the law till the book was put under his nose. Then he got mad because the prosecuting attorney knew so much more law than he did, but he had to adjourn court just the same." It was not so much from trivial events like this as from more important things which I did, that it began to be currently said of me, "He knows the law."

I think that I tried only seven cases in justice's court in 1873, but most of them were important, though none of them possessed any features which would call for record here. In the circuit court the number of cases begun by the firm was but a trifle larger than the number begun in 1872, but the amount of work done by the firm was more than fifteen hundred dollars in excess of the business done in 1872. During the year I argued only two cases in the Supreme Court.

Financially the year was very nearly the same as the one preceding. I received all my salary as Prosecuting Attorney, but my share of the receipts of the business of the firm was less than six hundred dollars, and the fees I received as United States Commissioner amounted to less than one hundred and fifty dollars. Our household expenses showed the rigid economy we practiced, being only a little more than nine hundred dollars including help in housework. I paid over \$750.00 on the indebtedness for our home, and at the end of the year my expenditures exceeded my receipts by only a little more than \$150.00.

The attention which I gave to religious, social and public matters generally was greater in 1873



than ever before. I was a trustee of the church, Superintendent of the Sunday School, President of a young people's society, President of the Kalamazoo District Sunday School Association, and a member of the Executive Committee of the County Sunday School Association. I was also one of the Executive Committee of the Library Association, on whom devolved the work of furnishing a series of entertainments during the season. As has been stated, I was a member of the Light Guard and had to be at the meetings for business and drill as often as once a week, besides going with the Company when it appeared for exhibition drills, &c.

In those days it was the custom to appoint a committee of citizens each year to visit and inspect the public schools near the close of the school year. In 1873, and for several years thereafter, I was each year appointed a member of this committee, acting one year as chairman. Some of the reports of the committee are preserved, I know not why, in the book containing items of "Personal Mention."

There is also preserved in a volume of my "Writings" two articles contributed by me to the public press, in 1873, one on the "Destruction of Trees in Kalamazoo," the other on the "Increase of Crime." As has been stated, I have not preserved many--if any--articles written by me during a number of years and published as editorial matter.

During 1873 I heard a number of lectures, the more eminent lecturers being Rev. Dr. Chapin of New York, Anna E. Dickinson, and Charles Bradlaugh of England. The latter had a great reputation at that time for ability, eloquence and statesmanship, but, judging him by his lectures, I was never able to think him to be the equal of George Thompson or Henry Vincent in ability as an orator or statesman. It was in that year that I saw Edwin Booth in Hamlet, and have steadfastly refused ever since then to see that play, as I wished my recollection of it to be as Booth rendered it. It has always seemed to me that his interpretation of the character of Hamlet

was simply perfect and I have wished to have nothing less in my memory. In concert I heard Annie Louise Carey, one of the most noted singers of that day; Mario, who had set New York wild twenty or more years before but whose voice in 1873 was worn out and broken; Wieniaski, one of the leading violinists of the world, and Camillo Urso, easily in the same class with Wieniaski. But the greatest musical event of that year to me, and the greatest of my life, was hearing Anton Rubenstein play. His playing was so different from and so immeasurably superior to any other instrumental music that I ever heard, that no one has ever described it and no one could.

In November, 1873, the business of the firm was changed by the admission of another partner, Orlando W. Powers, a young man from the western part of the State of New York, who had taken a course in the law department of the Michigan University. He applied for admission as a member of the firm, and as Mr. May was greatly pleased with his appearance and wished the proposed arrangement made, I interposed no objection, although if the matter had been left to me I should not have favored the project. Powers was only a fairly good lawyer, and was not over-industrious, but he had a rather ingratiating manner, was a good speaker and was inclined to push himself to the front. What largely commended him to Mr. May was the fact that he agreed with Mr. May in politics and in religion--so far as Powers could be said to have any religion--and I did not. Powers was inclined to be rather unscrupulous in many ways, in which respect he was wholly unlike Mr. May, who was the soul of rectitude and honor in all respects. I do not remember what the financial arrangement with Powers was, but as nearly as I can recollect, he was to receive one-fourth of the net receipts of the office, I was to have one-third of the remainder and Mr. May the rest--this arrangement to go into effect on the first of January following.

In retrospect, the year eighteen hundred and seventy-four to me always resembles the year eighteen hundred and seventy; although in fact

the later year was quite unlike the earlier one so far as my fortunes were concerned. I presume that the fancied resemblance arises from the fact that the beginning and ending of 1874 were to me in some degree unhappy. Throughout nearly all the month of January, 1874, Gertrude--then a child less than three years of age--was seriously ill with fever, and anxiety on account of her condition made that month an unhappy one for me. We did not employ a nurse, Gertrude's mother having the care of her during the day and a part of the night, while I looked after her during a part of the night. Then, Oscar W. Field, who had married Nellie Bradford, died in January, and his demise was a sad event in our family.

There was nothing in my work in 1874 that was at all noteworthy. The duties of my office of Prosecuting Attorney were somewhat onerous, as I had all the criminal business of the county to attend to, in both the justice's courts and in the circuit court and in that year the criminal business of the county was greatly increased by what was known as "The Crusades," the banding together of the religious women of the country for the suppression of the liquor traffic. In Kalamazoo public meetings were held and many prosecutions begun, some of which were carried to a successful termination; but the effort was a sporadic one and not of long continuance (though it lasted until nearly the close of my term of office) and it ceased wholly in our State within a few months from the time when it was begun.

At some time near the beginning of the year 1874, a partnership was formed between Charles S. May, Elisha A. Fraser and myself for carrying on the business of practicing law at Battle Creek, under the firm name of May, Buck & Fraser. Mr. Fraser had been Superintendent of Schools at Kalamazoo and was admitted to the bar at about the time the partnership was formed. He took up his residence in Battle Creek and occupied the office of the firm there, Mr. May or I going to Battle Creek two or three afternoons of every week. Fraser was not then a very good lawyer, but he was honest, industrious, and a hustler for

business, so that the receipts of the Battle Creek office were quite satisfactory.

The admission of O.W. Powers to the firm relieved me of the greater part of the justice's court business, but did not lighten my burden as to other business to any appreciable extent. Powers had neither the self-reliance nor the ability to undertake work of the importance of that which I did when I was of his age, so the strictly legal part of the work of the firm still devolved upon me almost wholly. And as the civil cases which we had begun in 1873 had now reached a stage when the real work in them ought to be done, I was kept very busy in preparing them for trial or hearing, and either trying or assisting in trying them on the law side of the court or arguing them before the court sitting in Chancery. But as every day's work that I did brought money to the firm, I made no complaint in regard to the amount of work I had to do. But I did feel somewhat like complaining when, in the autumn of 1874, both Mr. May and Powers devoted nearly all their time to politics (though neither was a candidate for any office) to the utter neglect of the business of the firm. The results of the work done by all the members increased the value of the business done that year over that done during the preceding year by about fifteen hundred dollars, and the cash receipts by about thirteen hundred dollars. But that Powers brought no business to the firm, either directly or indirectly, was evidenced by the fact that the firm was employed in fewer cases in 1874 than in 1873. So that it was difficult for me to see at the end of the year how the admission of Powers as a member of the firm had been of any advantage to Mr. May or to myself.

I argued but one case in the Supreme Court in 1874 and submitted one on briefs (Millar vs. Babcock). While attending the Supreme Court I was named by the Justices as one of a committee to examine candidates for admission to the bar, and, though not the chairman of the committee, I was given the most important part of the work of the



committee--the examination of the candidates in the Common Law--the bar of the State having obtained the idea, that I was exceptionally well versed in the Common Law.

I paid very little attention to political matters in 1874. When the time for the fall election was approaching, I made it known that I should not be a candidate for re-election as Prosecuting Attorney. From the time when I first indicated that intention there poured in upon me a deluge of protests against my determination and pleadings to take the office for another term. My administration of the office had been eminently satisfactory to the greater number of the people of the county of all parties, and there was an almost universal wish that I should serve for two years longer. Then it was foreseen by leading republicans that the result of the election in the county was doubtful, and they felt sure of my election but were not confident of electing any one else. But I steadfastly refused to change my determination, and other candidates came into the field for the nomination who would not have done so had it been understood that I would be a candidate, and this required me to adhere to my declaration as a matter of good faith. When the convention assembled and the office of Prosecuting Attorney was reached, a delegate moved that I be re-nominated by acclamation, and at once any number of voices were heard supporting the motion, which would have been carried with a whoop had I not asked a delegate to say that I must decline the nomination if made, and if elected I should refuse to serve. That ended the matter though quite a number of republicans were incensed by my refusal to be a candidate. Fortunately for me, the republican candidate for Prosecuting Attorney was elected. I was not so fortunate ten years later. I made no political speeches in 1874. I consented to make one shortly before the election, and started to fill the appointment; but a heavy rain came on while I was on the way, and I turned about and drove home.

In my financial affairs the year 1874 was a

prosperous one. My total income from salary, share of business receipts, U.S. Commissioner's fees, &c., amounted to \$2288.15, while the total expenses of maintaining the household, paid on church notes, taxes, insurance, books, &c., amounted to 1495.00, leaving \$793.15, which was paid on indebtedness for our home.

I attended fewer entertainments in 1874 than I had been accustomed to attend for several preceding years. I took pains to hear two educational lectures by Professor Morse of Harvard on geology and biology, a fine concert by Theodore Thomas' orchestra, one opera, "The Barber of Seville," with Adelaide Phillips and Tom Karl in the leading roles, and a lecture by Phebe Cozzens, an able lawyer and lecturer, who died recently in St. Louis, in loneliness and poverty.

I was re-elected Superintendent of the M.E. Church Sunday School in April, but resigned the office in October on account of having been elected President of the Kalamazoo County Sunday School Association. For the next three or four years my Sunday School work was in the line of my duties as President of the Association. On the greater number of Sundays during that period I was engaged in visiting Sunday Schools or Sunday School associations, or delivering addresses in churches or school houses on Sunday School topics. In this way (while I was unconscious of it at that time) I was extending my acquaintance throughout the county, getting into closer touch with the better elements of society in the country and acquiring a reputation as a friend of morality and religion.

I delivered few addresses in 1874 aside from those which pertained to my Sunday School work. In January I was invited by the Principal of the Union School at Decatur, Michigan, to make an address in the High School Lyceum course of lectures. The Principal afterwards wrote an account of the address which was full of over-praise and was published in the local newspaper. It can be found on pages 51 and 52 of "Personal Mention." The Decatur correspondent of the Detroit Tribune said of the address that it "was

scholarly, able and instructive, and was listened to by a large audience with evident appreciation and pleasure." The address did seem to take well, largely, I think, because it was delivered extemporaneously and not read from manuscript. I also delivered my lecture on "Unwritten American History" at one or two small places during the year.

At some time in 1874--I do not remembre just when--I assisted in the organization of the Kalamazoo Publishing Company. This organization was brought about, indirectly, by one of Mr. Burrows' foolish political actions. Burrows had been elected Representative in Congress in 1872, and before the expiration of his first term had to assume the responsibility of the appointment of a postmaster at Kalamazoo. The candidates for the position were Hon. H.G. Wells, Rev. Dr. J. A.B. Stone, John Parker and Col. J.D. Sumner. Dr. Stone was one of the editors of the "Telegraph" which was owned by himself and his son, James H. Stone with the financial support of Lucius B. Kendall, a railroad promoter and prominent business man. Burrows finally decided the postoffice controversy in his characteristic way, by recommending the appointment of L.B. Kendall, who was neither an active nor a receptive candidate for the place.

Burrows was re-nominated for Congress in 1874 and the Greeley party nominated as Burrows opponent Allen Potter, a prominent banker of Kalamazoo, an excellent man and always a good friend to me and my client while he was in Congress and afterwards until his death. The action of Mr. Burrows in the postoffice matter aroused bitter opposition to him, and the Stones purposed to have the Telegraph oppose his re-election, and a leading editorial of that import was in type and locked up in the forms. But Kendall learned of it and, going to the office of the paper, declared that he would "kick the --forms down" unless the objectionable article was taken out. The result of the contention was that the Stones sold their interest in the paper to Kendall, who proceeded to organize the Kalamazoo Publishing Company to

publish the Telegraph and carry on a general printing and binding business. The stockholders were L.B.Kendall, Lyman M. Gates, Otto Ihling, Reinhold Ihling, Arthur Brown and myself. I do not remember the amount at which the institution was capitalized nor how the stock was distributed, but I think that the total capital stock was twenty-five thousand dollars, and I remember that I held a smaller amount of the stock than any of the others, my shares amounting to sixteen hundred dollars. As there were only enough stockholders to make the number of directors required by law, I was, perforce, one of the directors of the company.

As a matter of course the Telegraph came out vigorously in support of Burrows. And in this way I became, indirectly, a supporter of Burrows, although I think that I voted for Allen Potter at the election. Potter was elected and Burrows was retired to private life until in 1878. I retained my stock in the Kalamazoo Publishing Company until in 1876 and then sold it to Dwight May at par, having in the mean time received one dividend of ten per cent.

At the close of the year 1874 the firms of May, Buck & Powers and May, Buck & Fraser were dissolved, I retiring, leaving May and Powers in possession of the office and the good-will of the business. This was not at all in accordance with my wishes, I being practically forced out of the firm by the other two partners, they exercising an unquestionable legal right to dissolve the partnership at any time. But I, with my conservative ways and feelings, believed the dissolution to be a bad thing, especially for me. I believed that with anything like proper attention to the business on the part of every one of the partners, the business of the firm could be so increased as to bring a reasonably good income to every member of the firm. With this in view I had relinquished to office of Prosecuting Attorney, and was rewarded for this sacrifice in the interest of the partnership by being dismissed from the firm altogether.

This change was brought about by the plotting



of O.W.Powers in his own interest. While my relations with Powers were never unfriendly, his ideas and mine as to strict legal integrity were so dissimilar that our association in business was not wholly congenial. He had, therefore, no scruples in regard to getting me out of the firm so that he might be the second instead of the third member of the firm and have a larger share of the receipts. With this purpose he announced to Mr. May near the close of the year that he should not continue in the firm if I remained a member, alleging for this decision certain reasons which had not a shadow of basis in fact. But Mr. May, who was very friendly to Powers and had been somewhat dissatisfied with me since 1872 on account of my insisting on retaining all my salary and because of other personal differences existing between us, was very ready to side with Powers in the matter and so it was decided as I have indicated. The scheme was a discreditable one on the part of both Mr. May and Powers, especially the latter, and I do not think that Mr. May, to the end of his life, ceased to regret the part that he took in it. Many times after the occurrence he expressed to me his regret that our partnership was dissolved, and his sorrow on account of the injustice that was done me in the matter. And I will here state--what would more naturally come at a later period of this history--that the firm of May & Powers, after trying for a time to carry on their business alone and not succeeding very well, made a practice thereafter of having me employed in all their important and difficult cases, and this practice continued as long as either of the members of the firm continued to practice law in Kalamazoo. But the business of the firm did not prosper, the partners became estranged and Mr. May gave up the practice in Kalamazoo and removed to Detroit. Not succeeding there, he returned to Kalamazoo, attempted to practice alone or with Volney H. Lockwood, or some other lawyer, for a short time and then retired to his country place near Gull Lake, where he died in the year 1900. We were excellent friends for many years before his

death; indeed our friendship was not seriously interrupted at any time except for a few months in the latter part of 1874 and early in 1875.

O.W. Powers practiced law in Kalamazoo until the year 1885 when he was appointed Territorial Judge of the Federal court in Utah. But a protest against his appointment was sent to Washington (in which protest I did not join) alleging legal and moral unfitness for the place. The Senate Committee on the Judiciary reported against confirming the nomination, and the President withdrew it. Powers remained in Utah, and after a time attained a fair degree of success at the bar, chiefly in the defence of criminal cases. He died about 1913 or 1914.

In noting the dissolution of the firm of May, Buck and Powers, the Michigan Tribune, published in Battle Creek, had this to say:

"Mr. Buck, a lawyer of ability and high standing, will open an office by himself. It will be remembered that Mr. B. commenced the study of the law in the office of L.C. Rhines, in this city."

I do not know what building stands there now, but it was on the west side of the street, about half way between Main Street and Water Street. The room I had was a very large one on the second floor, and at the rear end to fit it for use as a law office my landlord, Nicholas Baumann, had a partition of wood constructed through the center of the room so as to provide a reception room and a private office. I do not remember what rent I paid for the office but think that it was about fifteen dollars per month. An office adjoining mine and fronting on the street, was occupied by James M. Davis, a Justice of the Peace.

I think that the chief reason for my selection of an office in that out-of-the-way place, was the low rent I had to pay. But I am quite certain that I tried to find a better location on Main Street but was unable to find one at any price that I thought that I could afford to pay. Charles B. Stuart heartily approved of my locating where I did, but Mr. May was greatly dissatisfied with the location, as he thought it would

## Chapter XI.

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Judicial Honors.  
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The year eighteen hundred and seventy-five was one of the most uneventful years of my life. At the beginning of the year I was beset with many ~~many~~ doubts and fears as to my ability to maintain myself or achieve as large a degree of success and receive as large an income as I had been able to do as a member of the firm. No one except myself seemed to have any doubts on that score, and there was really no occasion for any on my own part. But I knew that in the case of a law firm the good-will of the institution counts for a great deal, that people are accustomed to think of a lawyer or firm as having a certain location, and that they naturally seek that particular location when they wish to secure the services of counsel.

At the outset I made a serious mistake in locating my office. I engaged a room in what was known as the Baumann Building on North Burdick Street, the street number then being 23. I do not know what building stands there now, but it was on the west side of the street, about half way between Main Street and Water Street. The room I had was a very large one on the second floor, and at the rear; and to fit it for use as a law office my landlord, Nicholas Baumann, had a partition of wood constructed through the center of the room so as to provide a reception room and a private office. I do not remember what rent I paid for the office but think that it was about fifteen dollars per month. An office adjoining mine and fronting on the street, was occupied by James M. Davis, a Justice of the Peace.

I think that the chief reason for my selection of an office in that out-of-the-way place, was the low rent I had to pay. But I am quite certain that I tried to find a better location on Main Street but was unable to find one at any price that I thought that I could afford to pay. Charles E. Stuart heartily approved of my locating where I did, but Mr. May was greatly dissatisfied with the location, as he thought it would

be inconvenient for him to confer with me in regard to the business in which we had a joint interest. But I cared little for that, as I felt that if he had wanted me to be where he could readily confer with me he should have been willing to continue our partnership relation.

I did not lack for work to do in 1875. As I had no partner and so could not resort to the time-honored and usual device of sending the junior member of the firm to try all cases in justice's court, I was obliged to attend to them myself; and thus it came about that I tried twenty-three cases before Justices of the Peace in that year. Few of these cases were of any special note, although most of them were important both in regard to the standing of the parties in the community and the amount involved in each case. But I was not successful in the result of these cases to the extent that I generally had been, as I think that I lost more than half the cases in which I was employed. This was probably due--in part at least--to the fact that as soon as I was out of office as Prosecuting Attorney, there was almost a rush to employ me to defend persons accused of crimes of all sorts, and a number of my justice court cases (and some of these in the circuit court) were criminal cases in which there was no possible defence to the accusation. In one of these cases I was employed by a very "undesirable citizen" of Galesburg to defend him in a case in which it was asked that he be required to give a bond to keep the peace, because of his having indulged in the pastime of drawing a deadly knife on a saloon-keeper and threatening to cut his heart out, and in other playful pleasantries of that kind. On conferring with the accused I found that the charge could not be successfully denied and that he could easily give the bond sought by the proceeding, and I advised that this be done without contesting the case. But to this the accused strongly objected, saying that he wanted the case tried and the complainant "shown up." I told him that this wish could be gratified for ten dollars, and he at once handed me that amount, I



went with him to the office of the justice and as soon as a jury could be impaneled the trial proceeded. As no defence was possible, I offered no testimony except to show the circumstances under which the threats were made. When it came to the argument, as I had taken my client's money under an implied agreement to "show up" his antagonist, I felt in duty bound to perform that service to the best of my ability. I dwelt at length on the character of the complainant's occupation; his pursuit of his nefarious business in the midst of a peaceful, orderly community; his taking money from my poor client, the helpless victim of an uncontrollable appetite, in exchange for complainant's vile concections, and thus rendering him practically irresponsible, and then sneaking into court to complain of the consequences of his own morally criminal act. And in the course of a somewhat lengthy diatribe I poured upon the head of the complainant all the invectives, oburgations and denunciations that I could find in a fairly well stocked vocabulary. And I was somewhat amused and pleased as well to observe that the members of the jury and the spectators seemed to enjoy the verbal castigation thus administered to the complainant. As all that I said in behalf of the defendant furnished no defence to the charge, the accused was promptly convicted and as promptly gave the required bond. After we had left the court-room the defendant said to me, with a delighted chuckle, "That was splendid. You did that fine. You showed him up in good shape," and went his way highly pleased with the return he had received from his investment.

One important case in justice's court which I had in 1875, is noted on page 56 of "Personal Mention" and at the time attracted much attention and caused no little comment. As more of the case than it would be profitable to record here is given in the newspaper report referred to above, I will add nothing to what is there stated. Technically I was right in my theory of the case; but this was because the village coun-

cil had neglected to regulate the matter by ordinance before the sign which was the subject of the controversy was hung. And because I was able to vindicate the technical rights of my client even in derogation of the public welfare and against public sentiment, my victory in that case was generally regarded as only another piece of evidence tending to show that I was very conversant with that mysterious, controlling and governing force known to the uninitiated as "the law."

Among other criminal cases which I was employed to defend in 1875, was one in which I was retained by the father of a rather young boy to defend the son, who was accused of the crime of larceny from the person, a serious offense. The undisputed facts were these: Three young men, Preal, Yeagley and Troutwine, slept in a box stall on the State Fair grounds in Kalamazoo, the door being locked from the outside. When they went to bed Preal had a valuable watch. In the morning the watch could not be found. Afterwards Yeagley--whom I was employed to defend--sold the watch. Yeagley and Troutwine were separately arrested, each charged with larceny and also with receiving stolen goods, as the watch had been seen in the possession of each of them after the larceny. On the day following my employment by Mr. Yeagley the father of young Troutwine came to my office to retain me to defend his son, but I refused to accept a retainer in the case. Mr. Troutwine could not understand why I could not defend both the boys, but I could (though I did not inform him why) and he thereupon engaged Arthur Brown.

When the cases were called in court I was ready and eager for the trial of my case, but Brown asked and obtained a continuance of the Troutwine case until the following term of the court. The Yeagley case was speedily brought on for trial and was defended on the theory that Troutwine stole the watch and sold it to Yeagley who bought it without any knowledge that it had been stolen, never having seen it while it was in the possession of Preal. The jury accepted this

theory and acquitted the defendant, Yeagley. When the Troutwine case was tried, at a later term of the court, it was claimed by the defense that Yeagley stole the watch and that Troutwine innocently carried it for a few days for Yeagley's accommodation. The jury accepted this theory as to the larceny, but Brown failed in his defence in regard to the felonious receiving. Had Troutwine been tried first it is more than probable that Yeagley would have been convicted.

The result of the two cases tended to add to my reputation as a lawyer, as the public generally accepted the verdict of the second jury as the correct one. But I did not at all enjoy the thought of acquiring a reputation as a defender of persons accused of crime, and as speedily as it could well be done I got out of the practice of accepting retainers in that class of cases altogether.

I record an incident that occurred in the trial of one of my cases in 1875, because it illustrates how it sometimes happens that a lawyer, by what seems to be the merest accident, (but which is often the result of what is a sort of intuition) acquires a reputation for shrewdness, or for <sup>being</sup> what the general public would term "sharp." I was employed to prosecute a quasi-criminal case brought in behalf of the county and in the name of the People, against a prominent citizen of the county, to compel the support of an illegitimate child, the question at issue being the paternity of the child. The case was one that aroused a great deal of public interest and was stoutly defended, Arthur Brown being employed by the defendant. One of the witnesses called for the defence gave testimony in corroboration of that of the defendant himself and so damaging to the prosecution that, if believed by the jury, my side of the case was hopelessly defeated. I was convinced that the witness was falsifying, but his reputation and standing in the community were such that it was impossible to impeach his veracity and I had no testimony, except that of the mother of the child, to disprove or discredit his statements. Arthur Brown

closed the direct examination of the witness with an air of satisfaction and triumph and turned the witness over to me for cross-examination. I assumed a careless and indifferent manner and without questioning the witness at all in regard to the main fact to which he had testified, I asked him to tell me all that he had done on the day named by him, which chanced to be the 29th of September. This he did and I then asked him to relate his doings on the 28th of September and he did so. His movements on the 30th were then inquired after and given. Next came an inquiry as to his occupations on the 31st and these--like the others--were related with considerable particularity. Then followed a request to tell what he was doing on the 32nd and this was complied with. By this time the faces of most of the jurors were expanded into broad grins and many of the spectators were suppressing their merriment with an effort and Arthur Brown was fidgeting in his seat, while my face, on which I kept the attention of the witness fixed, was as impassive as at the beginning of the cross-examination. I generally knew when it was the psychological time to cease cross-examining a witness and so asked no further questions of this one. Arthur Brown at once set about the task of having the witness correct his testimony, and partly succeeded. But it was too late, the witness was hopelessly discredited, the jury returned a verdict for the People, and for many a day after that it was told throughout the southern part of the county--where the defendant lived--how "Old George Buck caught" the witness; to "catch" a witness being regarded as one of the most skillful feats that could be accomplished by a lawyer.

Another case which I had in the circuit court that year, served as an illustration of the uncertainty of litigation, no matter how clear the proof might seem to be. I was employed by a republican who had been a candidate for the office of constable, at the spring election in Kalamazoo township, and had been declared by the inspectors of the election to have been defeated.



My client, who was wholly truthful, claimed that by the connivance of the township clerk, he and a friend had recounted the ballots and that they gave him--my client--a clear majority of three votes. Acting on this information I filed a quo warranto proceeding in the circuit court against the incumbent of the office. But when the ballot box was brought into court and the ballots counted in the presence of the court, they gave an unquestionable majority of the votes to the respondent. How it all happened I could never understand, but the decisive fact was that my client was fairly beaten after bringing suit in "a clear case."

It so happened that in 1875 my business called me to Ann Arbor and Ypsilanti on several occasions to look after matters in the Probate Court relating to the estate of a somewhat wealthy citizen of Ypsilanti then recently deceased. This was the beginning of a considerable practice which I had for some years in the Washtenaw county circuit court.

But a large part of my work in 1875 was in trying, or assisting in the trial of, cases in the circuit which had been begun by the firm in the preceding year or years. I assisted Mr. Fraser in the trial of a case--which was very novel and important--in the circuit court for Calhoun county in which we won a decided triumph; but the judgment was reversed by the Michigan Supreme Court in an opinion not based on any legal principle but rested solely on the views of some of the Justices in regard to modern inventions, having nothing to do with the facts of the case or the law applicable thereto. The case was retried and a verdict again obtained for our client, but with a smaller amount in damages than were awarded on the first trial. In answer to the decision of the Supreme Court in the case the legislature of Michigan took the matter in hand and enacted a very drastic law regulating the use of traction steam engines on the public highways of the State.

Several of the cases which I tried or assisted in trying in the Kalamazoo circuit court were

important but the most important was the "Pierce Will Case," a contest over the will of Isaac Pierce, a former resident of Climax and a wealthy man. The proponents were the second wife and her children, the contestants were the divorced (first) wife and her children. One of the contestants was one of the officers of the school district in which I first taught, and it was largely because of my acquaintance in that locality that Mr. May and I were first employed by the contestants. Mr. Sherwood was afterwards associated with us at the request of our clients, so that the same legal coterie might look after their interests that managed the case of the contestants in the Patterson will case. The counsel for the proponents were Arthur Brown, H. F. Severens and William A. Maynard of Detroit.

In the trial of the Pierce will case I took an even more prominent part than I did in the Patterson case. My special role was the same and I also took a prominent part in the examination of witnesses and in the argument to the jury. The second trial, one year later, resulted in a verdict for the contestants. The case was removed to the Supreme Court and argued by Arthur Brown and Mr. Severens for the proponents and by Mr. Sherwood and myself for the contestants. The Supreme Court reversed the judgment in an opinion which I always believed to be wholly unwarranted by either the law or the facts. But the reversal led to a settlement between the parties by which our clients received some part of the estate, but not nearly as much as they would have received if the verdict of the jury had stood.

One of the proponents, a young lady whose birth was made legitimate by the subsequent marriage of her parents, was so much dissatisfied with the management of her case by her counsel, and during the litigation conceived such a dislike for Arthur Brown personally, and at the same time was so impressed by the work that I did against her interests, that in all the subsequent litigation that she had I was her attorney. And as she possessed considerable property and had no small amount of litigation, in which I was almost uni-

formly successful, I found her a most valuable and estimable client, especially as she was always reasonable in her expectations and requirements and liberal in regard to my compensation.

In the latter part of the year 1875 I had further experience in presiding in the circuit court, being designated by the Circuit Judge to preside in the case of Krom vs. Dudgeon & Cobb, tried by jury. The case was not important in regard to the amount involved, but did involve a number of intricate questions regarding water rights, liability for flowage, &c. The manner in which these questions were presented to the jury in the instructions by the court, attracted the attention of several members of the bar and gave added force to the suggestion made in the preceding spring--that I would be a fit and proper person to fill the office of Circuit Judge.

The financial outcome of the year 1875 to me was not all that could have been hoped, but was not by any means discouraging. The net receipts of my legal business were less than \$970. Among the items that went to make up this total was a watch for which I allowed \$25 to an impecunious criminal whom I set out to defend and who afterwards pleaded guilty. I sold the watch later for \$20. My fees as United States Commissioner amounted to less than \$20, and I received a little more than \$10 from other sources, making my entire income just a little above \$1,000. Our household expenses were very small indeed, considering the number in the family, including help, being only about \$950. I paid for improvements on our house nearly \$60, for interest nearly \$90, taxes \$23, Life insurance, \$42, and on sundry other accounts about \$60, making an excess of expenditures over receipts of about \$250.

I have no record from which I could state what was done by me in the way of general or special reading in 1875. I remember hearing only one lecture and that one was by John B. Gough. At about the time of which I am writing the Young Men's Library Association went out of existence, the library was merged in the public library, and no course of lectures was maintained until the

work was taken up by an unincorporated, voluntary association, of which I was a member and official.

In 1875 I argued four cases in the Michigan Supreme Court, all important ones but none of them containing features which would in any way illustrate or add to the interest of this story.

As 1875 was an "off year" in politics, there was no occasion for any activity on my part in that direction. But it was seriously proposed in the spring of that year that I be the republican candidate for Circuit Judge. In 1874 Hon. Charles R. Brown resigned that office and the Governor appointed Darius F. Comstock, a most estimable man and a good lawyer, to fill the vacancy. But Judge Comstock died early in 1875 and Dwight May became an active candidate for the nomination. The result was a contest between the delegations from the counties of Kalamazoo and Van Buren, such as occurred later, in some degree in 1881 and decidedly in 1899. In 1875 the Kalamazoo county delegation was for Dwight May, the Van Buren county delegation for George W. Lawton. Finding that a nomination would be impossible under these conditions, some of the Van Buren county delegates proposed that the names of both May and Lawton be withdrawn and that I be nominated. I learned of it and stopped the movement by declaring that I would not accept a nomination in any case. I did this because the salary of the office was only \$1,500 and I did not want the position irrespective of the question of salary. The result was that the convention divided hopelessly, the Kalamazoo county delegates nominated Dwight May, the Van Buren county delegates nominated Lawton, (some of the delegates from that county voting for me on the first ballot in spite of my declination) while the democratic convention nominated Josiah L. Hawes, who was elected.

I must have made nearly or quite twenty addresses of different sorts during the year 1875. Most of these were addresses before Sunday School conventions or meetings and were more professional than invitational, being made by me



in the capacity of President of the County Sunday School Association. But others were on "Temperance" and one or two gave my "Reminiscences of Army Life." Two, at least, of the addresses I made that year were noticed by the public press and the observations of the newspapers concerning <sup>them</sup> are found on page 53 of "Personal Mention."

I wrote very little for the editorial pages of the Telegraph in 1875, for the reason that late in 1874 or very early in 1875 Henry Loomis Nelson, (afterwards editor of Harpers' Weekly) who had been engaged in the practice of the law in Kalamazoo, with indifferent success, was engaged to take charge of the editorial department of the paper. For his selection I was largely responsible, but Mr. Nelson's work more than justified my opinion of his ability, as he conducted his department of the paper with a degree of talent that had not been manifested in that department for a number of preceding years. In April, 1875, the Telegraph published an article written by me, entitled, "Legal Tenders Unconstitutional," which was a criticism of the decision of the Supreme Court of the United States in the case of Knox vs. Lee. The fact has no real relation to this narrative, but it may be only just and proper that I should state here that several years after the article above referred to was published, I was assured by the Hon. George F. Hear that the strictures in which I indulged in that article in regard to the manner in which the decision criticised was brought about had no foundation in fact and that the appointment of Justices Strong and Bradley to the bench of the Supreme Court was made wholly without reference to the legal tender cases then pending in that court. In the Telegraph of date September 27, 1875 there was also published an account written by me of a sermon by Rev. Henry F. Spencer, then recently appointed pastor of the First M.E. Ch. of Kalamazoo.

October 20, 1875, at a meeting of the Kalamazoo County Sunday School Association I was re-elected President of the Association for another year.

In the year eighteen hundred and seventy-six I gave much attention to political matters and it is possible that my business suffered somewhat in consequence; but as I subordinated my political aspirations and activities, without reserve, to my business, I cannot think that I lost much in the way of business by my attention to politics. My services were still much in demand in cases brought in justices' courts, and as I was anxious to earn as much money as possible, I seldom turned away a would-be client with a case of that kind. I did not try so many as in the preceding year, but my success was much greater as I won by far the greater number of my cases, and in some which I did not win outright I succeeded in preventing a verdict against my client or obtained for him some substantial advantage. And in conducting many of the cases in which I was employed I had some interesting and enjoyable experiences, only one or two of which can be mentioned. In one case I was employed by an attorney living at South Haven, the case being one in which he had sued a client for compensation for legal services. I went to South Haven early on Friday morning, tried the case in the afternoon and obtained a judgment of three hundred dollars for my client, which, of course, was not paid until some time later. As there was no train by which I could return to Kalamazoo that day, my client took me to his home until the following day. I attended with my client an experience meeting at church on Friday evening, at which he spoke very piously and feelingly. I returned home on Saturday and my client never paid me one cent for my services or expenses (the latter amounting to several dollars), and all that I had in return was my board and lodging for about a day and a night and the recital of some of my client's religious experiences.

In another case I was applied to to go into Barry county to defend a suit brought in justice's court. As the case seemed to me to be a trivial one I advised the applicant to get some other lawyer, as I should charge him twenty dollars for my services besides transportation to

and from the place of trial and the amount claimed in the suit was much less than that sum. But he had been advised by his neighbors to engage me and no one else, so he promptly paid me half the required amount with the promise of the remainder as soon as the suit was tried, and as he was a substantial farmer I knew that there would be no difficulty in regard to the pay.

On the day that the case was to be tried my client met me at Augusta and drove me in a lumber wagon ten to fifteen miles to the office of the justice, in a little hamlet in the midst of a fine and thickly settled farming country. The case had been adjourned to the hour of ten in the morning and the parties and their counsel were promptly on hand, the jurors were soon selected and the venire put in the hands of the proper officer for service. About the middle of the afternoon I learned that no effort had been made to bring in the jury for the reason that the community was greatly interested in the case and had learned that I was engaged in it, and wished the trial delayed until evening so that the men with their families could attend the lawsuit after the day's work was done. The trial was held in the ballroom of the hotel, a large room, which was crowded with people of both sexes and of all ages. The trial began a little before seven in the evening and lasted until two o'clock the following morning, very few of the spectators leaving in the mean time. The counsel for the plaintiff was a man named Hewitt, not a lawyer but a man of much force of character and with some knowledge of the law and skillful in managing his cases in justice's court. I met him a number of times and found him no mean antagonist, although I cannot remember that he ever succeeded in winning a case from me. Associated with me was a pettifogger from Augusta, who assisted me in the direct examination of our witnesses. The plaintiff was a colored man and my client was an Irishman, but there was no "race prejudice" in the minds of the jurors or of the spectators. The plaintiff's case impressed me as being at least a fairly meritorious one; but,

partly by a deft cross-examination of the plaintiff and his witnesses and partly in ways not now remembered, I succeeded in impressing the jury and spectators with the idea that plaintiff's suit was a huge joke; so that the room resounded with merriment during nearly all the time the trial was in progress. The jury readily found a verdict for the defendant, and when it was rendered at something after two o'clock A.M., the spectators went away evidently feeling well repaid for their attendance, while my client, at numberless times during the drive to his home in the larger hours of the morning and again when he paid me the remainder of my charges, said in a tone of supreme satisfaction, "Well, you bate the dem nagur anyhow."

As this narrative is the story of the life of a lawyer, I make no excuses for relating many things that contributed to the making of that life, however unworthy they might be of a place in an orderly autobiography.

I was not retained in as many new cases in the circuit court in 1876 as in 1875, but I think that this was merely by chance and not because of any lack of attention to business on my part or lack of confidence on the part of the public. I tried a considerable number of cases at law and conducted and argued many on the chancery side of the court. Some of these cases were of those in which the firm had been retained before the dissolution of the partnership, in others I assisted May and Powers, and others were of the number in which I had been retained after the dissolution of the firm. Many of the cases, both at law and in chancery, were important but not especially interesting.

I argued six cases in the Supreme Court of Michigan in 1876, a greater number than I had argued in any other year up to that time. One of these was so important and interested me so deeply that it merits special mention. At some time in the early seventies the firm was retained to defend a suit brought in the Kalamazoo county circuit court against one Cornelius Hill, a wealthy farmer living in St. Joseph county, for



setting a fire by which, it was claimed, some of plaintiff's property was destroyed. The case was tried about the year 1874 and the jury rendered a most unjust and unwarranted verdict for the plaintiff. We advised taking the case to the Supreme Court, but the defendant declined to do so. In due course of law an execution was issued on the judgment against Hill and levied on about two hundred and forty acres of very valuable land in St. Joseph county of which Hill was or had been the apparent owner. I think that it was before the levy of the execution that Hill came to me and employed me to draft a deed of all his land to his wife, a weak and rather ignorant woman who was wholly under the domination of her husband. Cornelius Hill's reputation in St. Joseph county for integrity was considerably below par.

After the levy of the execution and, I think, after the dissolution of the partnership, Cornelius Hill came to me and employed me to bring suit for his wife to protect the land from the levy of the execution and from any sale under the levy, and I accordingly filed a bill in chancery in the circuit court for St. Joseph county, in behalf of Mrs. Hill and against the judgment creditor and the Sheriff of the county, to restrain the sheriff from selling the land under the execution, the bill alleging that the land was equitably as well as legally the sole property of the complainant (Mrs. Hill) and had been conveyed to her in pursuance of an agreement on the part of her husband to convey the land to her in consideration of large sums of money advanced to him by her, and that such agreement was made years before the husband had incurred any liability to the judgment creditor.

The testimony was not taken in open court but by a stenographer out of court, or before commissioners named in a commission to take the testimony of witnesses living in the State of New Jersey. The proof was abundant that the allegations in the bill of complaint were true; that when complainant was married to Hill she owned a quantity of valuable land in New Jersey which

was sold in parcels from time to time and the money passed over to Cornelius Hill on his promise to deed her certain parcels of his land, and that these several agreements covered practically all the land the title to which stood in his name before his conveyance to his wife. Why he had not performed his agreement years before he did was no mystery to those who knew Hill and his wife.

Before the testimony was taken Cornelius Hill brought me several promissory notes which he claimed that he had given to his wife at different times in a period of a number of years and at the times when he had obtained money from her. I accepted his statement without question and did not observe the notes further than to make a mental minute of the date and amount of each note. But after they had been offered in evidence an examination of the notes showed that they bore many ear-marks of fraud, all being evidently written with one pen and one kind of ink and two or more written on one sheet of paper and then cut apart.

It was necessary as well as advisable to call the complainant as a witness, and a very poor one she proved to be. Under a searching cross-examination by Mr. Severens--the principal counsel for the defendants--she became confused, made several statements that were unfortunate for her side of the case and finally burst into tears, exclaiming, "You must excuse me, gentlemen, I have never been on the stage before." Mr. Severens insisted that the stenographer should not only take down the words of the witness, but also the fact that she was weeping. I thought at the time that this was not good tactics on Mr. Severens' part, and so the event proved.

Before the case came on for argument in the circuit court, my client came to me and asked my approval of his action in employing H. H. Riley, of Constantine, to assist me in the argument of the case, which approval I readily gave. Riley was a good and very prominent lawyer, the author of a book, "The Puddleford Papers," and was an able advocate, having a great reputation as a ju-

ry lawyer. When the case came on for argument, as Mr. Riley was much my senior in both years and experience I naturally accorded to him the place of senior counsel, I to make the opening, he the closing argument to the court. In my conferences with him he had made no secret of his want of confidence in our case. I think that he knew Hill and looked upon his action in deeding his land to his wife as a dishonest scheme to avoid paying the judgment against him, and I vainly tried to impress him with my view of the case and my belief in the equities of the claim of the complainant irrespective of the rascalities of her husband.

At the time of which I write it was the custom of the members of the bar of St. Joseph county, whenever a case was to be tried by a jury or was being heard by the Judge in the circuit court, to array themselves on the side of the one party or the other, not at the tables of counsel but in their expressions of opinion as to the merits of the case. And in the Hill case as soon as the testimony had been read the bar, with practical unanimity, lined up on the side of the defense. Among others Hon. Charles Upson of Coldwater, who had formerly represented his District in Congress and had but recently been Judge of the Branch and St. Joseph Circuit, was very outspoken in his opposition to my side of the case, and his opinion in favor of the defense was very freely expressed in the presence of the Judge who was to decide the case.

I made the opening argument and presented my views as forcibly as I was able, and could see that I made a decided impression on the Judge as well as on the members of the bar who were in the court room. Mr. Severens followed with a very able argument for the defendants and then Mr. Riley proceeded to make one of the weakest arguments ever heard from any one who possessed any ability whatever as a lawyer or advocate. Cornelius Hill, who was a man of good sense and ability to judge in a matter of that kind, and who was greatly pleased with my argument, was disgusted with Riley's; and Mr. Severens, in talk-

ing over the case with me on our way home from Centreville that night, said of Riley's argument: "He did not put forth a single proposition in addition to those which you had advanced, and in going over the same ground that you did he weakened your argument instead of strengthening it." And this was true. The Circuit Judge decided the case against me and dismissed the bill.

I strongly advised my client to appeal the case to the Supreme Court and he readily accepted my advice. He said to me, "I am going to have you appeal the case and I want you to argue it alone. I was a fool to hire any one in the case besides you."

When the case was reached in the Supreme Court I had the opening and closing argument. In the first I hung tenaciously to a discussion of my theory of the case and insisted that the proofs showed beyond controversy that the allegations in the bill of complaint were true and that the complainant's equitable title to the land in controversy was as perfect as her legal title. That the court could not consider what were the motives of Cornelius Hill in deeding the land to her, inasmuch as he was merely carrying into effect his agreement with complainant and doing an act which a court of equity would have compelled him to perform had he refused to convey the land to complainant. I cited few authorities on the argument. There was a case in the reports, which had been decided by the Supreme Court of Michigan many years before, in which the opinion of the court did not harmonize with my contention in the Hill case; but I had learned enough of the ways of the Supreme Court to know that if the Justices of that Court wished to get over a formidable barrier in the shape of a former decision, they could always easily find ways in which that could be done; so I paid little or no attention to the earlier case. Arthur Brown, who was in the court room during my argument, was very much impressed by it and, during the argument by Mr. Severens, made a number of suggestions to me, one of which I followed in my closing argument.

Mr. Severens made a very strong argument for



the defense, paying particular attention--as I expected that he would do--to the indicia of fraud which were apparent in the testimony, especially the appearance of the notes. In my closing argument I gave especial attention to that phase of the case and urged that even if the court could find that complainant had weakly or wickedly connived with her husband to manufacture testimony to be used in the case, she could not be punished for so doing by a denial of her plain rights and a forfeiture of her property. I then called attention to the fact which Mr. Severens had insisted should go into the record, and I drew a picture of the complainant, a weak but honest woman, in the hands of a skillful cross-examiner, pressed with unfriendly questions and badgered beyond endurance, and finally breaking down and weeping over the threatened loss of property which was honestly hers by every right known to the law. I had long before learned that judges are as human as other people, and on this occasion I could plainly see that my appeal to their feelings was not in vain and that they deeply sympathized with the complainant, whatever their views as to her rights might be. And in the course of my professional life I was many times made aware of the fact that sympathy is an important element in the mind of a judge or juror in determining the rights of a party to litigation of any character.

The Supreme Court reversed the decision of the Circuit Judge in the Hill case and entered a decree granting the prayer of the bill. In the opinion filed in the case the Justices unanimously adopted my theory of the case, using the same arguments that I had used, but in their own language. And thereafter, for many years, the case of Hill vs. Bowman was a noted case among the members of the bar and the courts of Michigan, because, like the case of Millar vs. Babcock, it marked the establishment of a principle of law which had never before been recognized by the courts. And it does not need to be stated that my stock as a lawyer rose to a point much above par in St. Joseph county and there remain-

ed during all the time that I was at the bar or on the bench.

Not long after the decision of the Hill case I met Upson and Riley together at Lansing. Beth expressed the utmost astonishment at the decision and inquired of me "how on earth" I managed to bring it about. My answer was as brief as it was truthful: "Because I had the right of the case."

In the Federal courts my business was, in 1876, beginning to be considerable, the cases in which I was employed being mostly cases in bankruptcy. In one important bankruptcy case my clients included the well-known firm of H. B. Claflin & Co., of New York. I am sorry to say that my work in behalf of that firm was not successful, owing, as I thought then and still think, to the ignorant stubbornness, want of business knowledge and want of good business sense of the United States Circuit Judge, -- Judge Baxter, of Tennessee, a first-rate politician who made only a fourth-rate judge. Another important case that I had in the Federal court in 1876 was a life insurance case tried before Judge Brown (afterwards one of the Justices of the Supreme Court of the United States) and a jury, at Detroit, in which I was successful.

The year 1876 was an important one to me politically, as it was in that year that I was first nominated for the office of Judge of Probate for Kalamazoo county. The idea of being a candidate for that office was first suggested to me by Charles S. Dayton, then the cashier of the Kalamazoo City Bank. I do not know what led Mr. Dayton to make the suggestion, but have always thought that an article that appeared in the Chicago "Times" at about that time may have been the means of turning Mr. Dayton's thought to me in connection with the office. A reporter for the "Times" coming to Kalamazoo to "write up the town," made brief sketches of prominent enterprises, institutions and citizens of the village for his paper, and wrote the following concerning me, from material furnished by Dwight May and without any compensation to the reporter or to

his paper from me or from any one else:

"George M. Buck, is another able member of the Kalamazee bar. As an attorney, solicitor and counselor he is one of the ablest members of the profession in western Michigan, and through industry and close attention to business he has secured a large practice both in the civil and criminal branches in Kalamazee and adjoining counties. He is a keen and logical debater, and occupies a prominent position among the older members of the profession. For some years he was the partner of the Hon. Chas. S. May, the extended business transactions of which is too well known to need comment at this time. He is now, it is believed, pursuing his profession alone, and is enjoying a large and lucrative practice, his cases including some of more than usual importance. He is an able scholar, gentlemanly in deportment, and occupies a high position in both legal and social circles. He was prosecuting attorney for Kalamazee county for four years, previous to which he was circuit court commissioner for years, and at the present time is United States Commissioner for western Michigan."

This rank "stuff" was written out by the reporter after his return to Chicago and excited the ire of Dwight May as well as of myself, but the great mass of people saw nothing wrong in it and regarded it as highly complimentary.

I pondered over the proposition of Mr. Dayton for a time and the more I thought of it the more it seemed to me to be feasible, as the salary attached to the office was the same as that paid the Circuit Judge, and the duties of the office would not prevent me from continuing the practice of my profession. I therefore concluded to be a candidate for the nomination and so announced privately to a few of my friends.

On the 26th of April, 1876, without any request or suggestion on my part, I was chosen a delegate to the republican county convention which met on the 29th. At the county convention I was one of a committee to name the delegates to the State convention. It was proposed in the committee

that I be one of the delegates, but I at once declined in favor of Judge Briggs, another member of the committee, the then Judge of Probate and a candidate for the renomination. It was always my practice in politics not to seek for or accept any merely honorary positions at the same time that I was an aspirant for a political office, but to have such honors given to others, especially my rivals for the place I wished. Such favors would then be charged to them in the political account and not to me, while I endeavored to secure the substantial things that the party had to bestow. I have never been sure that this was the better policy, but I thought at the time that it was.

As the summer advanced I entered into an active campaign in my own behalf. I neglected my business as little as possible, but as soon as my work for the day was done I would frequently devote my evenings to political work of some character, sometimes in town and sometimes in the country. On one occasion, while canvassing in the southern part of the county, I found myself at Vicksburg late at night with no means of getting home. I therefore walked the whole distance home--twelve miles--after midnight, in order that I might be in my office at the usual time on the following morning. And that incident was but one of several that might be cited showing the vigor with which I conducted my campaign for the nomination.

The candidates opposed to me for the nomination were Henry C. Briggs, (the incumbent of the office) John M. Edwards and William W. Peck. I knew that Mr. Edwards would be likely to receive the support of the delegates from Kalamazoo township, on account of his age, his social standing and his deserts. I therefore put forth strong efforts to create a decided sentiment for myself in the country districts so as to secure a sufficient number of delegates from those quarters to overcome the influence of the delegates from Kalamazoo township.

Before the nominating convention was held a communication, written by Col. Curteneus, appeared



in the Kalamazee "Telegraph" urging the nomination of Mr. Edwards. I have preserved the article on page 58 of "Personal Mention" as an illustration of some of the influences favorable to the candidates opposed to me and which I had to overcome in order to win the nomination.

The delegation to the county convention from Kalamazee township was chosen without regard to the candidacy of any one for the office of Judge of Probate, but, as was expected by me, the vote of the entire delegation was, I think, cast for Mr. Edwards. The proceedings of the convention are set forth at length on pages 59 and 60 of Vol. 1 of "Personal Mention." When the office of Judge of Probate was reached, Col. Curtenius made a speech in behalf of Mr. Edwards, but I have no reason to think that a single vote was changed thereby. On the first and only ballot that was taken I received fifty-six votes, Judge Briggs nine, Mr. Peck seven and Mr. Edwards seven. For the first time in the proceedings the result of the ballot was received with cheers and the nomination was immediately made unanimous, as I had received sixteen votes more than a majority on the first ballot.

But my nomination was by no means equivalent to an election. At the election in 1874 the democrats had carried the county for the office of sheriff and for some other important offices, and as the office of Judge of Probate was an important one to have in a political way, the democrats of the county at once laid plans for the capture of the office. With this end in view they nominated the strongest possible candidate in opposition to me--Germain H. Mason, a good lawyer, who had then recently removed to Kalamazee from Centreville, a man who was universally popular, especially with the saloon element by which it was thought that my defeat could easily be accomplished. My course as Prosecuting Attorney had secured for me the bitter hatred of the saloon keepers and their friends, and the saloon had then much more power in politics than now. And as the Judge of Probate had authority to direct in what newspaper Probate Orders

should be printed, the organ of the democratic party in Kalamazoo--the "Gazette"--in order to secure this printing for itself, used every endeavor to defeat me and elect my opponent, attacking me on every possible occasion, some of the articles published in regard to me and written by men who afterwards became my warm friends, being positively scurrilous. And as the republican candidate for sheriff was almost as obnoxious to the lawless elements in the county as I, the attacks on me were coupled with the opposition to him, and on election day republican ballots were circulated among the voters having the name of my opponent and the name of the democratic candidate for sheriff in place of my name and the name of the republican candidate for sheriff.

Immediately after my nomination I threw myself into the campaign with all the energy I could employ. I did not neglect my professional duties in order to further my political interests, but I lost no opportunity for making myself useful to the party, knowing that in doing this I was serving myself. I canvassed the county thoroughly, generally speaking alone and not in company with others, and speaking in villages and in country school-houses, making eighteen political speeches during the campaign, the last being on the evening before election, at Pavilion, from which place I drove home late at night through a pouring rain.

In my candidacy I had the warm support of the "Telegraph" both editorially and in communications to it by its correspondents. One of these in reporting a speech made by me at Schoolcraft, said: "Mr. Buck simply outdid himself on this occasion and made a most eloquent and earnest speech." The report in full and also a report of my speech at Climax, written by Frank Hodgman, may be found on page 62 of "Personal Mention." And just before the election the paper had this to say of me editorially:

"George M. Buck.

This is a good name. It is known in every nook and corner of this county, and known as

linked with all that is good and true, tried and trusty. He was a brave and faithful soldier of the Union. For ten years Mr. Buck has been part of the business public of the county, early rising to a prominent place at the bar and approving himself as a lawyer by his legal learning, his accurate judgment, and his judicious management of cases, some of the most important of which, arising in this region, have been intrusted to his hands. He is, by his sterling qualities of mind and heart, by his scholarship, his record as a lawyer, a public officer, and a worker otherwise in many ways for the public good, in every respect qualified for the important office to which he is nominated. \* \* \* \* \*

Until after the election I had very grave doubts as to the result, because of the adverse influences with which I had to contend, the small republican majority in the county and the bitter hostility of my enemies, especially the saloons. I was satisfied that the vote in Kalamazoo village would be strongly against me, and calculated on an adverse majority of at least one hundred in the township, and feared that it might be as much as double that figure, and as Brady, Cooper, Texas and Wakarusa were regarded as certain to give a democratic majority on the general ticket, I doubted whether the other townships in the county would give me a sufficient majority to overcome the majorities in the democratic townships I have named.

But there were elements and agencies favorable to me of which I had no knowledge and did not anticipate. The fact that the saloons were waging war against me, led many democrats who were temperance men to vote for me, and some members of that party who were interested in Sunday-school work also gave me a quiet but timely support at the polls. So that when the votes were counted on the evening of election day, it was found that while the republican candidate for sheriff (a worthy and popular gentleman) had lost Kalamazoo township by two hundred and eleven votes and had less than four hundred majority in the county, running behind the ticket about two

hundred and fifty votes, I had lost Kalamazee township by only twelve votes, had been elected by seven hundred and eighty-two majority (which would have been increased by two votes had all imperfect ballots for the office been counted) and had run behind the general ticket only about fifty votes.

As regarded my finances, the year 1876 was somewhat better than the preceding year. Although the amount of money earned in my business was less in 1876 than in 1875, the cash receipts were nearly two hundred dollars more, and the expenses of the office somewhat less. My receipts and expenses for the year were as follows: Receipts of office, \$1,458.66; U.S. Commissioner's fees, \$45.55; Referee's fees, \$20.00; Dividend on stock, \$48.04; total, \$1,572.25. Office expenses, \$321.69; House expenses, \$1,053.04; Books, \$16.15; Life Insurance, \$48.20; Improvements on house, \$34.45; Taxes, \$18.35; Interest, \$50.78; Incidental expenses, \$28.10; Political expenses, \$388.45, total, \$1,954.21, a deficit of nearly four hundred dollars, due to campaign expenses.

My work as President of the Kalamazee County Sunday School Association, continued with unabated vigor during the summer and autumn of the year 1876, during which time I made about a dozen speeches at Sunday School meetings, making a total of fully thirty addresses delivered that year. In temperance work I was also active, assisting in the organization of a Good Templars Lodge in Kalamazee, and in other respects doing what I could for the cause. I wrote little for the press, the only articles which I have preserved being three in number, one entitled, "A Word from a Temperance Man," condemning the action of the Prohibition Party and published in the "Telegraph" in April, 1876; another with the leading head-line "Powers' Political Pilgrim's Progress," written to ridicule an article written by O.W. Powers for the "Gazette", the article by Powers giving interviews with leading democrats in Kalamazee, my article giving supposititious interviews with the same persons and mak-



ing prominent some of the personal peculiarities and foibles of the persons named. It was then thought best by the editors of the paper to change the concluding part of the article on account of a very sudden death in the family of one of the men represented as having been interviewed, and as I was trying a case in court and unable to supervise the change, the conclusion is very faulty. The article made a great hit at the time and was the occasion of many anathemas by the democrats and much merriment among the republicans, but the writing of it was an unwise act on my part as the authorship could not be concealed and the credit I received for it did not compensate me for the loss I sustained on account of the enemies I made. The third article was one on James G. Blaine, written soon after the Cincinnati republican convention and published in the "Telegraph" of June 21, 1876. All these articles are preserved in one of the volumes of my "Writings."

On Saturday, the 30th day of December, 1876, I removed my office from the building on North Burdick St. to the rooms of the Judge of Probate on the first floor of the old Court House, a wooden building standing where the later brick structure now stands. And in that office I carried on the double work of officiating as Judge of the Probate Court for the County of Kalamazoo and practicing my profession, during the succeeding eight years.

79 HIGHLAND VIEW,

ATLANTA, GEORGIA.

April 19, 1917.

Dearest Gertrude:-

When I wrote the concluding part of the volume you have lately received it did not occur to me that there was in it any element or even tinge of sadness. Like every other part of the work it was written in an unstudied way, the design of the narrative being to give you the facts of my life as seen by me and my opinions and feelings concerning them. That owing to the lapse of time and for other reasons I have outlived all with whom I was associated in the work of the life of which I was giving you the story, was a fact of no little importance in the telling of that story. How true the statement was is evidenced by the fact that of all those who were members of the Kalamazoo bar when I was admitted to it Judge Severens is the only one now living. Of all who were in business in Kalamazoo when I went ~~th~~ there to live not one remains. Of all the present members of the First M.E. Church of Kalamazoo not one was a member when I first began attending that church and of those who were then members not one is

--like Hutson Colman--  
now living. Not only that, but those who constituted  
the succeeding generation and with whom I was natur-  
ally brought more or less into contact have nearly  
all disappeared, mostly by death, a few by removal. To  
lament these facts or to feel unduly sad over them  
would be unwise on my part, but I should be much more  
or less than human if I were to be wholly indiffer-  
ent to them or never feel in the least the loneli-  
ness which is ~~is~~ the natural result of them. With-  
out having a copy of the work before me I think I  
can safely say from recollection that I did not un-  
duly enlarge on the fact that I have outlived my  
generation as well as my day, or on how this truth  
affects my feelings. That I am having good health  
and am enjoying life and trying to do the best I am  
able with it are facts which are brought to the at-  
tention of all who will see the work too often to  
need mentioning. The other was a fact which would  
not be known to or even surmised by any of those for  
whom the book was designed unless mentioned.

So I trust, my dear girl, that you will dismiss from  
your mind all thought that I am lamenting the lone-  
liness of my condition or feel sad on account of the  
departure of those whom I have known intimately in  
former years. I look upon all these things as inev-

itable and govern my mind accordingly. And I also hope that, this being true, you will no longer regard the conclusion of the work as being in any way sad, but as being, just what it was designed to be, a plain statement of a fact coming into my life as a matter of course and to be regretted by no one.

With worlds of love to you,

Your

*Father.*



